

1999

Entering a new millennium: Does the parliamentary legislature in Canada continue to have relevance?

Brandy L. Miller
University of Windsor

Follow this and additional works at: <http://scholar.uwindsor.ca/etd>

Recommended Citation

Miller, Brandy L., "Entering a new millennium: Does the parliamentary legislature in Canada continue to have relevance?" (1999). *Electronic Theses and Dissertations*. Paper 1942.

This online database contains the full-text of PhD dissertations and Masters' theses of University of Windsor students from 1954 forward. These documents are made available for personal study and research purposes only, in accordance with the Canadian Copyright Act and the Creative Commons license—CC BY-NC-ND (Attribution, Non-Commercial, No Derivative Works). Under this license, works must always be attributed to the copyright holder (original author), cannot be used for any commercial purposes, and may not be altered. Any other use would require the permission of the copyright holder. Students may inquire about withdrawing their dissertation and/or thesis from this database. For additional inquiries, please contact the repository administrator via email (scholarship@uwindsor.ca) or by telephone at 519-253-3000ext. 3208.

INFORMATION TO USERS

This manuscript has been reproduced from the microfilm master. UMI films the text directly from the original or copy submitted. Thus, some thesis and dissertation copies are in typewriter face, while others may be from any type of computer printer.

The quality of this reproduction is dependent upon the quality of the copy submitted. Broken or indistinct print, colored or poor quality illustrations and photographs, print bleedthrough, substandard margins, and improper alignment can adversely affect reproduction.

In the unlikely event that the author did not send UMI a complete manuscript and there are missing pages, these will be noted. Also, if unauthorized copyright material had to be removed, a note will indicate the deletion.

Oversize materials (e.g., maps, drawings, charts) are reproduced by sectioning the original, beginning at the upper left-hand corner and continuing from left to right in equal sections with small overlaps.

Photographs included in the original manuscript have been reproduced xerographically in this copy. Higher quality 6" x 9" black and white photographic prints are available for any photographs or illustrations appearing in this copy for an additional charge. Contact UMI directly to order.

Bell & Howell Information and Learning
300 North Zeeb Road, Ann Arbor, MI 48106-1346 USA
800-521-0600

UMI[®]

**ENTERING A NEW MILLENNIUM: DOES THE PARLIAMENTARY LEGISLATURE IN CANADA
CONTINUE TO HAVE RELEVANCE?**

**BY
BRANDY MILLER**

**A THESIS SUBMITTED TO THE COLLEGE OF GRADUATE STUDIES AND RESEARCH
THROUGH THE DEPARTMENT OF POLITICAL SCIENCE IN PARTIAL FULFILMENT OF THE
REQUIREMENTS FOR THE DEGREE OF MASTER OF ARTS AT THE UNIVERSITY OF
WINDSOR**

WINDSOR, ONTARIO, CANADA

1999

© 1999 BRANDY MILLER



National Library
of Canada

Acquisitions and
Bibliographic Services

395 Wellington Street
Ottawa ON K1A 0N4
Canada

Bibliothèque nationale
du Canada

Acquisitions et
services bibliographiques

395, rue Wellington
Ottawa ON K1A 0N4
Canada

Your file Votre référence

Our file Notre référence

The author has granted a non-exclusive licence allowing the National Library of Canada to reproduce, loan, distribute or sell copies of this thesis in microform, paper or electronic formats.

The author retains ownership of the copyright in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

L'auteur a accordé une licence non exclusive permettant à la Bibliothèque nationale du Canada de reproduire, prêter, distribuer ou vendre des copies de cette thèse sous la forme de microfiche/film, de reproduction sur papier ou sur format électronique.

L'auteur conserve la propriété du droit d'auteur qui protège cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

0-612-52614-3

Canada

ABSTRACT

With the coming of a new millennium, many research projects will endeavour to examine how certain aspects of life will change in order to adapt to new and exciting times. This Project has attempted to do just that by examining the relevance of the Parliamentary Legislature in Canada from the point of view of legislators.

In order to gain primary resources pertaining to the question we surveyed and interviewed the legislators themselves to obtain insight into the current state of legislatures. Chapter One details the methodology behind these surveys and interviews. Many respondents offered their personalised accounts of time spent within legislatures and this information was collated to form the conclusions which appear throughout the text of this document.

Chapter two contains the necessary examination of the literature available on what others had to say about the state of legislatures in the past. This information was gathered from the myriad of academic writings on the subject of legislatures in general, to more detailed accounts of reforming the functions and structures of legislatures as well as commentaries on issues pertaining to behaviour of elected Members.

Chapter three examines whether or not simply reforming the current system of parliamentary legislatures in Canada will render the institution relevant in a new millennium.

Chapter four goes on to discuss the Executive Dominance of legislatures as well as the tradition of party discipline and whether or not this tradition hinders the growth and relevance of legislatures in the future.

The focus then shifts to Question Period and decorum in legislatures. The apparent increased breakdown in decorum in legislatures would seem to contribute to a decline in the relevance of the institution as presently constituted.

A brief discussion of how these issues relate to the future of legislatures in Canada, as portrayed by the respondents, concludes the body of the thesis.

DEDICATION

I would like to dedicate this piece of work to many people. First, to the research team and its director, Dr. C. Lloyd Brown-John. The support and dedication of all team members made it possible for this project to see fruition. To Brown-John; your guidance and support were always appreciated and have helped me realise many goals. I thank you.

Secondly, I would like to thank the Department of Political Science at the University of Windsor and its many great faculty members. Likewise, I am grateful to Barbara and Valerie in the office of political science for all of their help in answering questions and generally for 'taking care of business', but overall for making my time as a graduate student less stressful!

Thirdly, to Tam and Scotter, thanks for 'taking me in' and allowing me the opportunity to complete this project whole-heartedly. I know you realise how important this accomplishment is and your support through to its completion will be appreciated and remembered always!

Finally, I would like to thank Frank Giannetta. you supported me and encouraged me until the final draft was printed and all was said and done... and you didn't even say 'I told you so'.

ACKNOWLEDGEMENTS

The survey results were obtained as part of a joint effort of a research team under the direction of Dr.C.Lloyd Brown-John. The team consisted of Merry Harper, Nicole Hamacher, Ryan Flannagan, Andrew Crago and myself. All members assisted in the creation and implementation of the survey. Upon the initial return of the questionnaires, it was realised that much valuable data had been accumulated and it was then that the effort was made to incorporate this data into a formal context. Thus the workings of this Paper, which would not have been possible without the on-going assistance of all members of the research team and its director.

I would like to thank the director and the members of the team for their dedication and hard work in getting the surveys out to the members. It certainly was a team effort!

Likewise, I would like to extend my gratitude to Dr. Brown-John and the members of the team for allowing me to code and analyse the data obtained for the purpose of this Paper.

The information obtained from the interviews has also contributed greatly to this Paper. For this I owe my gratitude to Andrew Crago and Ryan Flannagan in particular for their companionship and dedication while conducting the interviews. Further, to those who allowed us to interview them, each of whom shared their personal experiences and opinions of the various Canadian Legislatures, are greatly appreciated and will be remembered always.

I would also like to acknowledge the contribution of two key people in the completion of this project; Dr. Gordon Olafson of the Faculty of Human Kinetics and Professor Robert Krause. I thank you for coming on board early in the project and for your commitment in its final stages.

As I embark upon an Internship at the Ontario Legislature, I will take all that I have learned from this experience and use it to broaden my perspective as I get a first hand opportunity to experience the Canadian Parliamentary Tradition in action.

Brandy Miller

TABLE OF CONTENTS

ABSTRACT	page <i>iii</i>
DEDICATION	page <i>iv</i>
ACKNOWLEDGEMENTS	page <i>v</i>
TABLE OF APPENDICES	page <i>vii</i>
CHAPTER ONE	
INTRODUCTION	page 1
METHODOLOGY	page 2
TABLE 1-1	page 6
CHAPTER TWO	
REVIEW OF THE LITERATURE	page 9
CHAPTER THREE	
IS REFORM THE ANSWER	page 17
TABLE 3-1	page 19
CHAPTER FOUR	
EXECUTIVE DOMINANCE AND PARTY DISCIPLINE	page 29
FIGURE 4-1	page 31
Chapter Five	
QUESTION PERIOD AND DECORUM	page 38
CHAPTER SIX	
CONCLUSION	page 44
REFERENCES	page 49
APPENDIX A	page 52
APPENDIX B	page 53
APPENDIX C	page 54
APPENDIX D	page 57
APPENDIX E	page 58
VITA AUCTORIS	page 59

Table of Appendices

APPENDIX A - Cover Letter

"The Future of Legislatures(?): A Millennium Research Project"

APPENDIX B - Survey Questions

Page One - Questions 1-5

Page Two - Questions 6-9

Page Three - Question 10

APPENDIX C - Schedule of Survey Activity

APPENDIX D - Press Release

APPENDIX E - Interview Questions

ENTERING A NEW MILLENNIUM: DOES THE PARLIAMENTARY LEGISLATURE IN CANADA CONTINUE TO HAVE RELEVANCE?

CHAPTER ONE

Entering a new millennium, does the Parliamentary legislature in Canada matter anymore? It is a bold question. Indeed, how can one question the relevance of an institution that has existed within Canada with relatively little dissension for over a Century? The Canadian Political Science Association's Annual Meeting in Ottawa in June of 1998 did. The question - "Are Legislatures still relevant?" came up in general discussions at this meeting and has since been the motivation for this Paper.

In the past, researchers have addressed such issues as the professionalisation of the legislature (Fleming 1997; White 1989; Mezey 1979; Olsen 1983); the evolution of the functions of legislatures (Fleming 1997; White 1989; Docherty 1998; Atkinson and Jackson 1980; Schaffer 1998); and the premise of the "decline of parliament" (Schaffer 1998; Olsen 1983; Sundquist 1981). More recently, questions about the publics' confidence in politicians, governments, and even democracy have been raised (Mancuso *et al.* 1998; Putnam *et al.* 2000; *The Economist* July 17, 1999). There certainly is not a lack of research on legislatures and the focuses range from broad themes of governance (Atkinson and Jackson 1980; Fox and White 1991; Franks 1985; Lembruch 1979), to details of the functions of legislatures (White 1991; Wheare 1963; Fleming 1997; Franks 1985; Atkinson and Jackson 1980), and to the competence of provincial Cabinets (White, 1998). Despite the myriad of questions posed about legislatures, few have endeavoured to question the continued relevance of the institution within Canada. The reason for this, simply put, may be because there has never been a need to raise the question until now.

There has never been a "crisis" situation which provoked any type of mass protest against the institution of legislatures in general within Canada, so why question its relevance? To say "why not?" may not suffice for the particular purpose of this Paper. Likewise, it should be noted that by questioning the relevance of Parliamentary Legislatures within Canada, does not imply an assumption that they

are in fact irrelevant institutions - that remains to be seen.

A fundamental notion that is perhaps the basis of the "legislative relevance" hypothesis, is whether or not an institution of Government created in the 18th Century and developed in the 19th Century, really matters in the 21st Century? This Paper will not attempt to offer an alternative, or 'better' system or institutional structure of government for Canada or its provinces. Nor will it attempt to analyze the history of reform that has transpired in respect to various legislatures throughout Canada. It will address the continued relevance of the Parliamentary tradition of the Legislature within Canada by drawing upon the opinions of Legislators from across the country, as recorded in responses to a survey supplemented by personal interviews¹.

METHODOLOGY

Several Members of the Provincial Legislative Assemblies² (MLA's) and a sample of Federal Members of Parliament³ (MP's) were mailed questionnaires. Several former and incumbent members of the Ontario Legislature and Federal Parliament were interviewed on the same theme, "do legislatures matter?". Valuable insights were gained from the personal experiences and perspectives of the interviewees. This information proved invaluable to the discussion and will be incorporated later into the Paper.

Likewise, a literature search was conducted, in order to assess both the validity of posing this question and if, in fact, similar research had been done previously. There appears to be no recent data which addresses the issue of the continued relevance of legislatures in Canada.⁴ However, literature available on legislatures and legislative procedures is abundant. The content of much of this literature was produced by academics as opposed to what we, the research team,

1 For the survey and interview questions, see Appendix B and Appendix C respectively.

2 Unfortunately, Quebec had to be excluded from this mailing due to the then current Provincial election. The Territories were also excluded from this group. A total of 514 questionnaires were sent to most Provincial MLA's from nine of the ten provinces and two Territories. See TABLE 1-1 on page 6 for a detailed breakdown of the survey activity.

3 A total of 93 questionnaires were sent to Federal Members of Parliament, from all provinces and parties, including Quebec and the Territories.

4 There is some literature on the "efficiency" of legislatures see: Usher (1998).

describe as the primary source - the legislators themselves. The literature review suggested a need for another dimension, that of the representational component of Canadian legislatures. Thus, the survey instrument was designed in such a manner so as to focus on this area. In particular, emphasis was placed on the input side of legislators.

The main focus of this Paper will remain the findings of the survey that was briefly introduced above.⁵ The results of the several personal interviews that were conducted with former and incumbent members of the Ontario and National Legislatures will also be incorporated. The survey was designed to explore a single question - the relevance of legislatures in Canada, from the point of view of legislators. The objective was to obtain the views of legislators on issues regarding the legislature that have recently become more prevalent, both in the literature and the media. The approach of sending the questionnaires directly to various MLA's and MP's was intended to generate primary source data. Outlined below are the objectives of the survey, as well as a brief explanation of the approach taken. The initial expectations and subsequent results of the survey will be discussed in greater detail as well.

THE COVER LETTER

THE FUTURE OF LEGISLATURES(?): A MILLENNIUM RESEARCH PROJECT

A covering letter (Appendix A) was included in the mailing. A total of 514 provincial and a sample of 93 federal legislators were surveyed. Thus a total of 607 questionnaires were sent. The questionnaire was designed to be informal yet informative, and still to the point. It was hoped that this informal but direct approach, would induce candid opinions from the members of legislatures. Likewise, it was meant to encourage legislative members to express candid views from a strictly personal perspective. This was the perspective that we were seeking. The cover letter provided an explanation of the purpose of the project as well as a basic outline of the information we were hoping to gain from the survey. In accordance with the ethical requirements of conventional social science

research, recipients were advised that any comments they provided would remain strictly confidential. However, we also provided an opportunity for them to authorize the use of any information they might provide. In doing so, we were also able to outline our intentions for the use of such data. Finally, there was an opportunity for the respondents to obtain the information and aggregate data that we derived.

THE SURVEY

QUESTIONNAIRE PAGE ONE - QUESTIONS ONE THROUGH FIVE

Page one of the survey (see Appendix B) was designed as a benchmark for subsequent analysis of responses. Page one was generally intended to encourage legislators to focus upon themselves and their personal actions and commitments to the legislature. This section was intended as an 'experiment'. That is, it was hoped that by leading off a questionnaire with a personal emphasis, respondents would be induced to focus receptively upon subsequent sections of the questionnaire. Page one consisted of five personal "fill-in-the-blank" questions. The first question asked the respondent to estimate percentages of time allocated to various aspects of their work and leisure. This series of questions also sought to establish whether the respondent was an Opposition Member or a Government Member. Another section sought information on party affiliation and committee or cabinet experience. We also asked for their total number of years of legislative experience and level of satisfaction in terms of their personal career. The scale employed for this question ranged from very satisfied to very unsatisfied.

For the purpose of this Paper, only the data obtained regarding each members' time allocations will be incorporated. Information in respect to party status and position was not coded for the purpose of this study and has been used merely as a reference point. While it would have been useful to correlate responses by province and region, the final paucity of responses seriously precluded any meaningful correlations. While it was interesting to note the differences and similarities that occurred among the responses from the various provinces and between the two levels of government, this data was not incorporated

5 See Appendix B for a complete copy of the survey in its original form.

in the final analysis for the intentions of this Paper. The data still retains relevance as a guide to work which will need to be undertaken in the future. The focus of this Paper is the written responses that constituted the preponderance of the questionnaire. In addition, interview responses have been incorporated.

QUESTIONNAIRE PAGE TWO - QUESTIONS SIX THROUGH NINE

Questions six through nine were open ended seeking brief, yet personal opinions and observations, from legislative respondents. These questions sought views on legislative reform; behaviour of elected members in legislatures; executive dominance of legislatures; and, public perceptions of party discipline. These four areas were considered to be representative of issues facing legislatures in Canada today, and were derived from the literature review.⁶ Respondents also were provided with an opportunity following each question to indicate whether or not they wished to identify themselves and to be quoted. Details drawn from written responses will be addressed later.

QUESTIONNAIRE PAGE THREE - QUESTION NUMBER TEN

Question number ten concluded the survey by addressing, ultimately, the essential focus of the project. It consisted of two parts: (a) "do Legislatures - as presently constituted - continue to have relevance?"; and, (b) opinions were requested of respondents regarding what they believed could be done to enhance the position of legislators in the public policy process. Respondents were also given the opportunity to comment upon other related subjects. Name identification and the option to be quoted, again, were provided. Question number ten was designed to encourage a more detailed response than the four preceding questions. Indeed, a full page was provided for the response, thereby allowing respondents to go into greater detail and perhaps address additional issues within that response.

EXPECTATIONS

Open-ended questions were employed in order to encourage a more personal and open dialogue for respondents. The survey was designed with an

⁶ The literature review follows in Chapter Two.

expectation of gaining relevant information from a distinct and valid perspective. Questions were not designed with a pre-determined objective - that is, it was not intended to obtain information that would lead to a definitive conclusion as to the *relevance* of legislatures *per se*, but rather to provide the basis for the formation of a subsequent hypothesis regarding the *future* of Legislatures within Canada. Thus, in every respect, this was a preliminary study.

The total number of questionnaires mailed out was 607 (see Table 1-1). Ideally, every elected member of every legislature in Canada would have received a questionnaire. However, for many reasons, this was not possible.⁷ Those who were sent the survey included all members of only **eight** of the ten provincial legislatures, with a sample of 59 drawn from Ontario, and 93 Members of Parliament. Those selected from the federal level consisted of a simple random representation from all ten provinces and both territories. The final mailing totaled 607 questionnaires, as detailed below in Table 1-1.

TABLE 1-1
TABLE OF SURVEY RESPONSE ACTIVITY

Province	# of Elected Legislators	# of Surveys Sent	# of Surveys Returned	Return Rate per Province
B.C.	75	75	9	12%
Alberta	83	83	7	8.43%
Saskatchewan	58	58	8	13.79%
Manitoba	57	57	6	10.52%
Ontario	130	59	16	27.1%
New Brunswick	55	55	5	9.09%
Newfoundland	48	48	3	6.25%
Nova Scotia	52	52	6	11.53%
P.E.I.	27	27	5	18.51%
Federal	301	93	8	8.6%
TOTALS	886	607	73	12%

For provincial legislatures a request for a list of constituency and legislative addresses for all Members was sent to the Office of the Premier. Initially, six of the

⁷ The major constraints were insufficient funding and provincial elections, in Quebec during the survey, and in Newfoundland just after questionnaires were mailed. Funding limitations precluded significant follow-up reminders.

ten provinces responded promptly. Three additional provinces, Quebec, Ontario, and New Brunswick responded quickly after a second reminder. Only British Columbia failed to respond, so several telephone calls were made to the Office of the Premier where, eventually, we were informed that to obtain the list we could apply under the Provincial Freedom of Information Act. Eventually, the list was obtained from the Office of the Legislative Speaker. The Premier's Office has never replied to the request.

The questionnaires were sent out with pre-paid return envelopes, to which theoretically, there was no formal means for determining from whom, or from where, the response originated. The only indication of who was returning the survey was provided by the member if (s)he chose to include a name, and from the postmark on the envelope. (For the schedule of survey activity, please refer to Appendix C.)

As with any project of this magnitude, anticipated response rates were difficult to assess. The literature review generally suggested, based upon limited experiences, that a high response rate was not to be expected. We felt that a response rate between 20% and 30% would be considered a success, and anything beyond 30% would have been considered a 'great success'.

THE RESPONSE RATE

In order to achieve an anticipated rate of return, a total of approximately 120 - 200 questionnaires would have to have been completed and returned. Unfortunately a total of only 73 completed questionnaires were returned, for a response rate of approximately 12%. In the absence of sufficient funding for mailed reminders, we tried both telephone and e-mail to party caucus chairs asking them to remind their members, and by issuing a media press release on the project we hoped to spur some responses.⁸

Responses were collated, and a general theme for each question began to emerge. It was apparent from the beginning of data collation that an effort should be made to incorporate this data into a more formal context, hence, this Paper.⁹

⁸ For a copy of the Press Release, see Appendix D. Unfortunately, funds would not permit further pursuit of this particular method of follow-up.

⁹ The survey data will be presented further in subsequent chapters.

THE INTERVIEWS

Another phase of the study was personal interviews with several incumbent and former legislators.¹⁰ Interviews took place over a period of approximately six weeks and were conducted by three members of the research team.¹¹ Many valuable insights were gained into the role and function of legislatures in Canada from these interviews. Much of the discussion during these interviews was linked to comments which appeared in many of the questionnaire responses. The interview process allowed for further probing of issues identified in the questionnaire responses. Discussion of these interviews will appear later.

CONCLUSION

Ultimately, the survey and interview results have provided the raw data and information for this Paper. The combination offers a valuable primary resource and this will be the main focus of the remainder of the discussion Paper on the future of legislatures. The aggregate data obtained from page one of the survey will serve as a reference for future analysis of the role of elected members. Further, it should be noted that this Paper is merely a starting point for future research into the relevance of legislatures in Canada, based on the survey results received to date.

It is certainly reasonable to suggest that the data gathered may be applied to the development of specific hypothesis pursuant to additional research on the relevance of legislatures in Canada.

¹⁰ See Appendix E for a sample of the questions posed during the interviews.

¹¹ I wish to thank Andrew Crago and Ryan Flannagan for their assistance and companionship while conducting these interviews. Particular gratitude goes to Ryan Flannagan who contacted the interviewees and coordinated the interview schedule. See Appendix C for this schedule.

CHAPTER TWO – THE LITERATURE

A review of the literature on the topic of legislatures, suggests that, generally, "the relevance of legislatures" is presumed within the context of each attempt to address the latest concern, trend or controversy surrounding legislatures. Thus, the literature generally suggests three clear areas: 1) the need, and suggestions, for procedural reforms (Levy and White 1989; Sundquist 1981; Atkinson and Jackson 1980; Courtney 1985; Fox and White 1991; White 1989); 2) the dominance of legislatures by the Executive and the public's perception of party discipline (White 1989,1998; Docherty 1997; Norton 1987; Loewenberg 1971; Kilgour *et al.* 1994; Mancuso *et al.* 1998; Laghi 1998; *The Economist* 1999; Savoie, 1999; Putnam 2000); 3) the public's perceptions of behaviour and decorum in legislatures (Mancuso *et al.* 1998; Laghi 1998; *The Economist* 1999; Putman 2000). Recommendations for reform of legislatures and analyses of past attempts and efforts at reform implementation are re-occurring themes. There has been an increased focus upon the behaviour of elected representatives in the legislature (Mancuso *et al.* 1998). The media has been attributed responsibility for sensationalisation of such behaviour, however, this issue concerns problems within legislatures and is therefore an issue pertaining to the continued relevance of the institution. Legislators who responded to our surveys also expressed strong feelings about legislative decorum, thus it seemed appropriate to address this topic.

When the literature focuses upon the issue of Executive Dominance of legislatures, there is an implication that this has an affect on the functions of legislatures (Savoie,1999;50). The issue of Executive Dominance unquestionably relates to the relevance of legislatures, as it is an issue with which legislators are faced. Likewise, it would appear that party discipline has become vexatious in the public mind and regrettably, literature is lacking in regard to public perceptions of this entrenched Parliamentary practice. Respondents were provided a modest opportunity to comment upon the preceding issues within the questionnaire. As will be demonstrated later, the overwhelming consensus among legislative respondents was that legislatures are still relevant even given

the above mentioned concerns. First, however, we shall turn to a brief summary of the existing literature as it relates to legislative reform and the two preceding issues.

Robert Fleming has produced eleven editions of *Fleming's Canadian Legislatures*. The purpose of these volumes remains that of a primary resource for those engaging in research on legislatures in Canada. Fleming is an adequate factual reference; it is the source for "...vital information about... how Canadian legislatures operate... and [for] changes in selected aspects of legislative institutions over time" (Fleming 1997, xiii). But, he does not address issues or theories.

On the other hand, Graham White, a leading expert on legislatures, believes that legislatures are relevant institutions. In *The Ontario Legislature: A Political Analysis*, (1989), White outlined his position: "The unspoken premise underlying this book is that parliaments matter" (1989, vii). What is interesting about this approach is that despite criticisms and negative assessments of legislatures that are highlighted throughout his book, White still stresses his acknowledgement of the relevance of "parliaments". This book follows decades of reform within Canadian legislatures and White emphasises on the need, in his view, for further reform of the Ontario Legislature. However, he does not diminish the relevance of the institution *per se*.

White has an acute understanding of processes, functions and even outputs of legislatures within Canada and he relates his analysis to other works (White, 1990; Levy and White 1989; White and Fox 1991; White, 1993). Of course, while White acknowledges the relevance of legislatures, he also concedes that there are many specific faults among particular institutions within Canada. Indeed, he identifies where certain governments or government members may have been culpable of abusing legislatures and then he offers suggestions for improvement. White's accounts of what "could have been" and of what "should be" regarding yesterday's and today's legislatures were valuable to this study not so much because of the identification of flaws within legislatures, but more

because his writings offer a well balanced view of key issues. This perspective is often lacking in much of the other literature assessing legislatures.

Questioning the very relevance of legislatures is not the same as simply identifying flaws within specific institutions. Identifying shortcomings of legislatures allows for subsequent discussion on prospective reform of legislatures. This is a popular theme in the literature.

Philip Norton has written extensively about the role and functioning of the British Parliament. Relevant to this discussion, however, is his work: *Parliament in Perspective* (1987), which was a response to an apparent general consensus that, "...the institution is seen as being, at best, marginal and, at worst, dangerously irrelevant..." (1987, 1). Norton is critical of this superficial perspective and thereafter identifies what he believes to be the true problem – "the study of Parliament" (1987, 2). He argues that popular widespread criticisms are ill-founded,

...providing in both historical and international comparison a distorted picture of what Parliament has done and can do. What we have today are more appropriately identified as misconceptions of Parliament, misconceptions that have given rise to prescriptions for change that are not only not necessary but potentially dangerous (1987,2).

Norton seeks to "clear up" these misconceptions and to provide an alternative perspective of Parliament. Norton's is just one example of the type of reform assessment and rhetoric within the literature, that is, to acknowledge the view that legislatures are irrelevant and then seek to disprove the notion. Although Norton focuses mainly on the British Parliament, his approach can be applied to Parliamentary legislatures in general. In his analysis, Norton offers three main criticisms that are derived from the literature. These same criticisms have also emerged in other legislatures (Norton 1987,2-5; Wheare 1963; Loewenberg 1971; Jordan and Richardson 1987).

Norton identifies three common criticisms of the literature. First is the 'decline of Parliament' heading that is commonly used in reference to the relationship of Parliament to the Executive and the making of public policy (1987,

2). The next criticism Norton identifies is the notion that Parliament is weaker now than ever before due to what Samuel Beer¹ has characterised as a collapse of the 'civic culture' (1987, 3). Finally, the third criticism of the literature that Norton cites is that, as a body for influencing public policy and for engaging public support, Parliament is not only less effective than it was presumed to be in the 19th Century, but also is less effective than other national assemblies in the Western world (1987, 4).

In order to put these criticisms into a clearer context it is necessary to identify the key functions of legislatures. Brown-John (1993,64-68), suggests that the Parliamentary requirement for direct accountability leads to the identification of the four key roles of legislatures:

- to approve public policies;
- to approve expenditures;
- to approve revenue raising (i.e.: taxation); and
- to enforce accountability.

Brown-John argues that we misunderstand legislatures when we presume them to be actually engaged in designing and constructing laws. Legislatures approve laws as the constructs of others, such as the Executive and the bureaucracy (1993, 64-68). If legislatures are publicly perceived to be ineffective, weak or even irrelevant, it is because there is insufficient widespread appreciation of their fundamental roles.

Michael Atkinson and Robert Jackson (1980) in *The Canadian Legislative System*, conclude their examination of Canadian legislatures with suggestions for reform. They identify three main objectives of reform:

- To improve the linkages within the legislative system;
- To increase the policymaking role of the individual MP within the legislative system; and
- To enhance the image of Parliament in the mass public (1980,193).

Such suggestions for reform are widespread within the literature. However, these common themes strongly suggest the need for further research and a broader perspective on parliamentary legislatures. For example, in the preface to the second edition, the authors note that many changes have occurred in

¹ As referred to by Norton (1987) at page 3.

Canadian legislatures since they prepared a first edition of this book in 1974. They conclude by "...expanding on their original reform proposals" and then they call for "sweeping changes" (1980, x). However, there does not appear to be any such "sweeping changes" suggested in the new addition, thereby leaving the reader with no new information regarding prospective reforms.

To reiterate, this literature overview suggests the need to look beyond the often routine, overstated approach that is so apparent in many legislative proposals set forth in the literature. Atkinson and Jackson for example, do not elaborate or hypothesise any probable reasons for the failure of their preferred reforms to be implemented. Instead, they simply reaffirm their original (1974) assertions of how and why their reforms should be adopted (1980,193). This does not contribute greatly to the notion that legislatures will remain relevant, nor does it reinforce any such notion that legislatures are or are becoming irrelevant. Likewise, their claims do not represent the 'only' example of 'reforms ignored' within the literature.

Thus, despite numerous other discussions which have offered similar or differing plans for reforming legislatures, the apparent need for reform rarely addresses clearly *why* such reforms are so vitally necessary, other than often loosely founded claims that implementation would contribute to the improvement of legislatures. May it then be inferred, notwithstanding, that legislatures remain relevant in the eyes of these proselytising researchers and thus their need to suggest wide sweeping reforms? If legislatures are in such bad shape as to warrant widespread calls for reform – calls that have dominated every aspect of the literature from the 1960s through to the 1990s - then it would seem logical to question the very relevance of Parliamentary legislatures as we move into the 21st Century.

One variation in research on legislatures comes in the form of questioning stability and change within the context of democratic rule. For example, William Schaffer's, *Political Change in Norway* (1998), following a brief re-hashing of the 'decline of parliament' premise raised by many authors over time (Wheare, 1963; Rokkan, 1966; Loewenberg, 1971; Lehmbruch, 1977&1979; Sundquist, 1981; Harrison,

1980²; Coombes, 1982; Jordan and Richardson, 1987³). Schaffer acknowledges that parliaments are in fact relevant and that this knowledge is to be understood throughout the remainder of his analysis concerning change within the democratic context of the Norwegian Parliament. Perhaps to further this point, Schaffer states that parliaments, "...have not recovered from decline for the simple reason that they were never in decline in the first place" (1998, 5). Statements such as this reflect the overwhelming, but understated, consensus within the literature, that legislatures are in fact relevant. Unfortunately, apparently widespread perceptions of Canadians do not reflect those sentiments as expressed in the literature (Mancuso *et al.* 1998; Franks 1985; Courtney 1985; Docherty 1997).

The behaviour of Members in the legislature has become a "hot topic" recently (Mancuso *et al.* 1998). The apparent increase of abusive language, "cheap shots", and the overall lack of decorum seems to be the sole content of the thirty-second news clips of Question Period to which Canadians are exposed. It is true that such coverage is mainly a product of the media, however, it would seem that public perception is greatly influenced by the airing of such clips. Since the advent of cameras within Canadian legislatures, many observers appear to agree that behaviour has changed, indeed, if not effectively worsened. It is this behaviour to which the public is exposed and consequently, which shapes opinions of the electorate, and attitudes toward politics (Putnam *et al.* 2000; Charlton and Barker 1994; Laghi 1998; Mancuso *et al.* 1998).

Question Period within Canadian legislatures has been described as "...a free-wheeling affair with tremendous spontaneity and vitality."⁴ The main topics of discussion are usually those which appear on the front pages of national newspapers or national editions of the evening television news. Most questions are what Franks (1985) terms as being of the, "Have you stopped beating your wife yet?" variety. With such dramatic content hitting the front pages of

2 As referred to by Schaffer (1998).

3 As referred to by Norton (1987).

4 From Franks, C.E.S. (1985). as quoted in Fox and White (1991) p.424.

newspapers, it is little wonder that Canadians view legislatures as places where decorum is lacking.⁵

Question Period is intended to provide a forum for the opposition to pose questions to responsible Ministers. Unfortunately, this time is more likely to provide a forum for the opposition to harangue Governments as well as attempts to embarrass the Government before television cameras and subsequent 'media scrums'. In response, a Government often attempts to "...give as good as it gets." (Fox and White 1991, 424). This behaviour is what the public sees and upon these views, they appear to form their opinions. Thus, if public opinion is premised mainly upon the antics during Question Period, it would be easy to conclude that little is accomplished in legislatures and that they are not as relevant as they were once in some historic past.

Fortunately, this is not the reality of legislatures. Question Period is only a minor part of the routine activities of Canadian legislatures. What the public does not fully see or appreciate is the myriad of other functions performed by legislators – some of which occur within a legislature. Unfortunately, it is precisely this lack of information that has placed legislatures in such apparent disrepute with the general public. But, if Question Period is widely perceived to be denigrated, then one might draw a general conclusion that legislatures themselves may have become victim to resulting public perceptions. This apparent misinformation may appear to be a problem in itself, however it could be a problem which could be interpreted to threaten the continued relevance of Parliamentary legislatures within Canada.

Perhaps the best solution to this apparent dilemma might be the education of the general public in respect to the reality of the functions of legislatures. However, this would mean exposing the "average citizen" to the reality of issues like Executive Dominance of the legislature and the intricacies of the public policy process. How could such evolving and complex subjects be explained if the intention were to educate and disavow misconceptions about legislatures?

⁵ The behaviour of Reform Party MP Darryl Stimson (Okanogan-Shuswap) in the House of Commons – he rolled up his sleeves, sought to physically attack a Government Member of the House – in the House – was both reprehensible and indicative of why Canadians seem to lack respect for Parliament.

Surely, one might argue, the explanation would differ significantly between the point of view of an Opposition Member and that of a Cabinet Minister or even a Government backbencher. The dichotomy of the so-called "traditions" of legislatures has grown even further apart in recent years. A set of articles published in 1994 illustrate this dichotomy. Issues like the Executive Dominance of legislatures and party discipline are prime examples of practices or conventions which may have gone awry in the public eye (Charlton & Barker 1994, 194-208), as will be discussed in the following chapters.

Literature abounds on such topics, yet no tangible solutions have been forthcoming. Evidence of this lies in the fact that many reform proposals; Executive Dominance of legislatures and party discipline; and a continued breakdown in the decorum of legislatures, are issues that still very much exist in the reality of most legislatures (Savoie, 1999). The apparent result of a growing cynicism by the public may not be fully warranted. Whether or not it is a "product of the press" really is not the issue here. The continued enforcement of party discipline and Executive Dominance of legislatures threaten their legitimacy (Savoie, 1999). Whether or not the public acknowledges this threat remains to be seen. Likewise, the often volatile behaviour of Members during Question Period can greatly contribute to public cynicism. The available literature does not acknowledge the seriousness of these issues in the many recommendations for reform.

Perhaps it is time the literature addressed more than popular reform proposals. If Parliamentary institutions, as presently constituted, are apparently failing to meet even the slightest of reform propositions, then what does the future hold for these institutions? Those who do so are correct to question not only the validity, but the relevance of legislatures in Canada. The remainder of this Paper will focus on this issue.

CHAPTER THREE - IS REFORM THE ANSWER?

One way to address the issue of the continued relevance of the Parliamentary legislative system in Canada is to look at reform. There have been many grand, and not so grand, suggestions for reforming aspects of Canadian legislatures over the years (White 1989; Fox and White 1991; Loewenberg 1971; Atkinson and Jackson 1980; Norton 1987). Indeed, the opinions of legislators expressed in this study, regarding the need for change and improvement within legislatures, closely reflected somewhat similar sentiments within the literature. The personal interviews conducted with former and incumbent Members of different legislatures also reflected similar sentiments regarding legislative reform issues. The opinions of the various legislators who participated in this study have proven to be valuable primary reference points concerning the continued relevance of legislatures within Canada.¹

Four dominant themes of legislative reform emerged from the responses:

- The legislative calendar and time management;
- Constituent services;
- The current system of representation; and
- The increased use of modern technology.

One theme related to concerns about legislative calendars, legislative time management, and the amount of time actually spent sitting in the House. A second theme concerned representation and constituent services. Responses generally focussed solely on how constituencies and constituent services would suffer or benefit from the effects of particular reforms. The prospect of a reduction in the number of seats in legislatures and the quality of representation which follows thereof, was a common theme in questionnaire responses as both issues reflect concerns regarding constituent services. Rather than representation by population, many respondents suggested moving towards a

¹ The opinions and statements that have been quoted directly from the questionnaire and interview responses will appear in italics throughout the Paper. Many respondents wished to remain anonymous and thus, all quotations derived from the survey and interview responses will remain anonymous.

system of proportional representation to improve the quality of opinion of representation in legislatures. Finally, increased recourse to modern technology prompted many respondents to comment on the future of legislatures and how the increased use of technology could render legislatures more relevant in the long-run.

Most suggestions for legislative reform obtained from the surveys and interviews generally were consistent with one another. When asked to suggest one or two changes which would improve the day-to-day work of legislatures, many respondents suggested that a more definitive calendar be set for legislative sittings. Normally, legislatures meet at least annually. A general rule is that legislatures meet in the spring, break for summer, and sit again in the fall, breaking before Christmas until the spring session resumes (Fleming 1997). In so far as this relates to the continued relevance of legislatures, the legislative calendar plays an interesting role. Time devoted to sitting and addressing the business of the legislature, is critical. On average, most of the provincial Legislatures and the federal House of Commons sit for less than twenty weeks each year. The number of weeks does vary per session and per legislature, however the general practise seems to be that most legislatures sit for less than half a year. The remainder of Members' time is spent in constituency offices, in committee meetings, and generally attending to business outside of the legislature.

When asked to identify the approximate percentage of time the respondent actually spent sitting in the legislature *versus* time spent on constituents' concerns and other business relating directly to his/her constituency, the Members responses were generally fairly consistent with a few exceptions (see Table 3-1).² Saskatchewan MLA's seem to spend more time in the legislature while their counterparts in Alberta are almost never in the legislature. Ontario seems to be fast approaching Alberta's diminished legislative role. Perhaps, as White (1998) has suggested, this reflects the tendency of

² The numbers in the table directly reflect the responses of the survey participants. Where the totals do not add up to an even one hundred per cent, is a result of rounding. Likewise, the 'other' category in the table is

provincial governments to construct Cabinets of younger people with little, if any, legislative experience and certainly little experience in opposition. Thus, with an increase in the Executive dominance of government and with Cabinets increasingly composed of persons with little or no legislative experience, legislatures at worst, may be viewed as irrelevant and, at best, as necessary nuisances.

One is also struck by the wide discrepancy between the average amount of time devoted to constituent concerns' and 'constituency business' across Canada when compared to Nova Scotia.

TABLE 3-1

AVERAGE TIME SPENT

	Actually sitting in the legislature	Devoted to constituents' concerns	Devoted to constituency business	Other Business
BC	27%	20%	15%	38%
AB	13%	21%	20%	46%
SK	38%	24%	22%	16%
MN	21%	17%	18%	44%
ON	19%	20%	17%	44%
NB	26%	32%	15%	26%
NF	22%	27%	19%	32%
NS	30%	16%	6%	48%
PEI	30%	22%	19%	29%
FED	20%	36%	19%	24%
Average	25%	25%	17%	41%

It is true that these numbers reflect only the perceptions of Members who participated in the study, however a significant inference regarding the relevance of legislatures can be drawn. Table 3-1 illustrates that the average time spent sitting in the legislature is 25%, compared to the combined average of 41% of the Members' time which is spent on matters directly concerning constituents and the constituency. This exemplifies the tendency of the Member to place constituent

a sum of several other categories (eg: time spent commuting to constituency, time spent on personal business, etc.) to reflect the remaining percentage of the Members' time.

services above time spent sitting in the legislature. The reasons may vary. However, for the purpose of this Paper, this information certainly suggests that Members feel that the business conducted in the legislatures is less relevant or politically rewarding than constituency matters. But then that reflects a simple truism – Members are re-elected by their constituents and, thus, in large measure their success depends upon whether they are seen as representatives who care about, and work for, their constituency and its residents.

Many Members agreed that they feel their “best work”, or “most satisfying accomplishments as elected Members” have occurred outside of the legislature and that their role within the legislature had no real bearing upon their role and achievements outside the legislature. Likewise, the majority of respondents who stated that they felt their role and influence in the legislature was minimal were backbenchers. David Docherty (1997) discussed this problem in his book, *Mr. Smith Goes to Ottawa: Life in The House Of Commons*.

Upon arriving at the legislature, the newly elected Member quickly realises the limited influence and power s/he has to effect change. Even in the name of the people, the backbench Member is rendered virtually powerless in the looming shadows of a dominant Cabinet. Thus, it would be easy to simplify this reality with the conclusion that legislatures are not really as relevant to the backbench Member and his/her constituents. However, should the time spent sitting in legislatures be increased to address this concern, this would only limit the power and capabilities of the Member to pursue constituency level work. While many respondents suggested increasing the time for private Members business as an alternative means to improve day-to-day work of legislatures, this suggestion appears to be more of a response to the apparent irrelevance of the Member as opposed to the relevance of the legislature itself.

As a representative body, legislatures consist of elected Members. In so far as the quality of that representation can be ascertained, the former and incumbent Members interviewed and surveyed had varying opinions regarding the effect of representation on the relevance of legislatures. Ontario recently reduced the number of representatives in its Legislature in order to cut back on

costs, tighten constituency boundaries and eliminate confusion between the federal and provincial levels of government. The majority of respondents believe that the quality of representation is threatened when the number of representatives in the legislature is reduced, *"Too much centralisation is not good... constituent's business is number one priority."* While five out of six respondents agreed that a reduction in the number of representatives would not in fact result in a 'democratic deficit', the common belief was that such reductions in representation could be hazardous to the democratic process,

There is a complexity in representation that was not there thirty years ago. There comes a time when budgets become too much and representation is about who gets how much money. This means that people are more informed in some areas than others because their particular constituency office services less [sic] people with the same amount of cash flow that exists for larger ridings.

Once again, respondents placed stress upon the importance of constituency level service and not service within the walls of legislatures. Many Members stressed the importance of constituency work and how this would be affected by a change in numbers. Likewise, the emphasis placed upon the costs associated with representing larger numbers of constituents was also considered as a problem by many of the respondents and interviewees,

The reduction in seats within the legislature is a bad thing. Effectiveness is dependent on the size of the population you have to represent. Can an increase in staff reduce the problems in the decrease of representation? I don't know...especially with the recent reduction of the 'global budget'.³ This makes it even more difficult to represent our constituents.

In time for the 1999 Ontario provincial election, the number of seats in the legislature was reduced from 130 to 103, resulting in 27 fewer Members. Many respondents and interviewees expressed concern about the consequences of representational reductions for Ontario.⁴

"There is no magic number for what is the proper amount [sic] of seats... instead legislatures function on a balance.

³ The global budget is the money, or 'budget', allocated to each official party by the legislature to provide for support staff, research, polling, mailing pamphlets, and general operating expenses.

⁴ The surveys and interviews were all completed prior to the June, 1999, provincial election.

What is needed in Ontario is a continuation of this past balance, but currently in Ontario, there is an imbalance."

This sentiment suggests enormous scepticism about the relevance of legislatures. Almost all of the comments and opinions regarding the reduction of seats (in Ontario or, in general), reflected constituency-based concerns rather than a focus on the effects such reductions may have on the legislature as an institution. In other words, with a higher Member-Constituent ratio, the capacities of both the Member and the Constituents to interact are reduced proportionately. This is a significant question for which we have no data but it is one which certainly requires full examination in the future.

The question posed to the various interviewees inquired as to the *quality* of representation. Perhaps rightfully so, every respondent referred to constituency services. No respondent or interviewee offered comment on how a reduction in seats might affect the routine business of a legislature on a day-to-day basis or indeed, how the organisation in general might be affected. This suggests, as Clarke *et al.* (1975) have suggested, that constituency service among Canadian legislators is a priority over work in the legislature. Clarke *et al.* (1975) concluded that when legislative career aspirations are not realised, a Member often chooses to focus on his/her work at the constituency level for success.

Clearly, and for a variety of reasons (eg. pensions), as Members – through longevity in a legislature – define their role in career terms, the incentives for activities focussed upon re-election should take priority. Thus, if an individual Member's legislative performance is not a critical factor in personal re-election when compared to re-election pay-offs to be derived from constituency work, the reasons for overwhelming attention to constituent and constituency business become apparent. Thus, constituency service is viewed as a priority and, indeed, often the main focus of many politicians' activities over their legislative career activities.

Certainly this was the perceptible trend in both the survey and interview responses. This suggests that a reduction in the size of legislatures is viewed as more of a concern for its constituency consequences, than as a problem for Parliamentary legislative institutions. If not irrelevant, then legislatures certainly

are not of significant relevance to those Members who generally focus their concerns at the constituency level. How much successful constituency and constituent work will over-ride failures by a political party remains, of course, unexplained. Thus, even exceptional constituency/constituent service may not salvage a political career if the Member's political party is being turned out, or away, from Office.

References to constituent service were among the most common responses when suggestions for reform were solicited. For example, an opposition Member in the Nova Scotia legislature felt that his experience as a MLA had been, *"...rewarding at the constituency level but at times frustrating in the legislature."* A Government Backbencher from Newfoundland believed that, *"the legislatures need to be reformed to allow individual Members the opportunity to bring forward matters of interest and importance to their constituents."* An Ontario Government Backbencher suggested that a change in attitude was needed, *"...Members need to be sensitive to concerns of constituents and actually be able to report these concerns to caucus."* Similarly, a Member of the opposition from Ontario felt, *"...Members should be treated as equals representing the interest of their constituents – regardless of their party affiliation."*

This comment and its reference to 'caucus' rather than to the legislature suggests a significant difference in the perception of the role of legislatures depending upon where one sits. Clearly, Government party backbenchers have an alternative forum to raise the concerns of constituents which they might reasonably expect will be heard and even acted upon. That 'influential forum' (caucus) is not available to opposition Members. These statements do reflect the overwhelming emphasis placed on constituent services, however the apparent contrast between the perceptions of Government and opposition Members illustrates the different role and task each side has in terms of representing their constituents.

The Member is elected as a representative of his/her constituency and most respondents appear to take this role very seriously. However, when specifically

asked to distinguish this role from that of their role within the legislature, respondents still focussed upon their roles as representatives of their individual constituencies. A general assumption might be that these Members view the legislature merely as a forum in which their role as representatives can be dramatised. However, the data obtained from the survey and interview responses does not support this notion. The more substantive conclusion, based on the consistency of the individual responses suggests that the lack of regard for the institution and the functions of the legislature in the Members' responses supports the perception of the decreasing relevance of legislatures, at least in the views of Members and those they represent.

Insofar as legislative representation is concerned, the question was also posed as to whether or not representation, as we have come to know it, has a future in Canada. The responses regarding reform of legislatures repeatedly focussed on how representatives are selected by popular vote in Canada. The current system of representation by constituencies determined by population generally was perceived as an area in need of reform. Representative democracy was widely cited among interviewees as a potential area for reform. The perception that legislatures and electoral systems should be, "...more representative of the public view..." was often suggested as a reason for reforming the present system of first-past-the-post voting.

Adoption of a system of proportional representation was the most common suggestion from interviewees.

It is time to change how we count our votes and be willing to distribute power and resources throughout the parties and regions and the various parliamentary structures - proportional representation is the answer.

Likewise, an opposition Member from the Ontario legislature argued that, "The electoral system must be changed from first past the post to one that includes proportional representation." Many respondents argued that the current system of voting does not adequately provide the opportunity to successfully represent one's constituency within the legislature. The current system generally was viewed by respondents as a hindrance to effective governing and representation.

It has been argued that the first-past-the-post system has rendered legislatures much less relevant than they could be due to inequities such a system allegedly causes. Michael Cassidy (1995) quotes the late William Irvine's 1979 treatise that a

"...crisis of representation and a marked loss of legitimacy is affecting Canada's central institutions and making them less able to carry through the kinds of accommodation necessary for the country to survive."

Cassidy believes that if this was true in 1979, then it is even more true today. However, his argument is restricted to the effects that the electoral system has on the legitimacy of the Canadian political system. Cassidy offers little assistance however, in assessing how adoption of a system of proportional representation would impact the issue of the legitimacy of legislatures in Canada. However, the difficulties of moving towards a proportional representation electoral system would be justified if the result was a House of Commons (or a provincial legislature) which was publicly perceived as more legitimate because it reflected more equitably the political composition of the country and the provinces, and, therefore, was more acceptable to Canadians.

Many of those interviewed reflected upon these representational inequities,

"Members are ever increasing because of the rep. by pop. system... it is the large number of legislators that has led to the present system. It may serve government well, but it is questionable if it serves representative democracy well."

Thus, if the current system of representation within legislatures is not the best domain within which to serve representative democracy, then our respondents once again, appear to have leaned toward the conclusion that legislatures are not as relevant as they should be for Canadians. However, as Cassidy concludes,

Parliament is the central institution of Canada's form of democratic government, and the electoral system plays a critical role in creating the framework within which

Parliament works. If the legitimacy of this institution can be restored through the adoption of some form of proportional representation, the legitimacy of all actions of government, which is now being questioned, can only benefit (1995,412).

When we consider some of the changes which have been made to procedures within legislatures to make them more efficient and to facilitate the role of the incumbent Government, the apparent role of 'globalisation' in this process can not be overlooked. Those interviewed acknowledged an increasing focus on the apparent effect globalisation has had upon representation. There have been several technical alterations which facilitate the manner in which legislators function arising from market globalisation, and this, in turn, has affected the way Members represent their constituents. One senior Minister in the federal legislature acknowledged that, "*...there must be a balance between staff and technology.*" This statement is indicative of the overall sentiment that technological advancements have improved the legislators ability to effectively communicate not only with their constituents but with experts and other legislators. However, it remains just as important to have "*a human interface*" with which to communicate.

Many of those interviewed offered views regarding technological globalisation similar to those who responded to the survey. It is significant that legislators recognise the potential of technology and the increased affects that this type of globalisation has upon their prospective roles as legislators because the 'human interface', or face-to-face contact of Members and constituents remains a necessary component of effective representation. An increased reliance on technological modes of communication could in fact hinder this relationship if not utilised effectively.

With the advent of the Internet, electronic mail (e-mail), call centres and even the mass media, legislatures have undergone significant transitions in the form of information technologies. It is within this area of reform that the only significantly positive comments were reported from legislators who participated in the study. Many believed that the use of information technology in legislatures is synonymous with a successful future. The use of information technology

advances the role of the legislator in terms of communications and the availability of information. From the universality of responses regarding an increased use of information technology, it could be argued that legislatures have an even, *"greater future"*.

The following is a sample of the many positive and optimistic comments obtained from respondents in respect to the future of legislatures arising from the anticipated consequences of technological globalisation,

"The real time speed of e-mail will allow elected officials to deal with constituent and political issues quicker than ever before. E-mail will not only increase the activity of constituents but also advocacy groups, lobbyists, and numerous other groups within society."

"With the right card in your computer, politicians can give real time speeches and give everyone a greater access to the legislature."

"Legislatures and politicians can become more effective in the future also. Communicating with your constituents via Canada Post took between two and three weeks – today it takes two or three days."

"Through e-mail politicians can contact experts much faster."

"The tools of representation will certainly change with technology – most likely for the better!"

"You can't read e-mail any faster than you can a letter, but it speeds up the process of travelling."

"Computers are especially helpful in advancing the filing process."

"Technology means better communications. This may even lead to the 'world federalist' view! Technology is more of a reality now with globalisation – ten years ago it was more of a 'rah-rah' attitude."

The final quotation reflects the belief that technological globalisation has only recently brought both legislatures and legislators from around the world much closer in terms both of consultation and governing. Our respondents' comments also suggest that technological globalisation has potential to increase the relevance of legislatures as forums for governance.

The many comments received regarding reform of legislatures were generally in accord with reforms identified in the literature on legislatures and

their reform. As suggested earlier, there were few positive or truly constructive suggestions from the survey and interview participants that had not already been suggested and recommended within academic writings on reform of legislatures. The general inference drawn from legislators' comments on reform leaned toward the conclusion that legislatures are no longer relevant, especially when juxtaposed with the importance of constituent services. However, as far as new-found reforms, the notion of globalisation and modern technology evoked a much more positive feedback from the participants.

Interestingly the future of legislatures seem to have a much greater relevance attached to them when technology and globalisation are thrown into the mix. Despite an apparent and repeated disregard for the institution in favour of constituent services, the relevance of legislatures still remains to be determined by what effect information technologies will have on representation in the long-run. A pro-active and positive response to technological globalisation and its impact upon democratic legislatures appears to be the current trend.

Ironically, although most respondents were more prepared to challenge the relevance of legislatures in terms of their traditional roles they also foresaw a greater relevance in the future arising from, and linked to, the capacities both of legislators and their constituents to more effectively interact. If legislatures are deficient as "legislatures" or law making bodies and the role of elected Members, especially opposition Members, has been diminished, there still seems to be an abundance of optimism for the legislator's role as a bridge between government and constituents. That this bridging role may be enhanced in consequence of greater, mutual access to a 'globalised technology' suggests a brighter and 'relevant' future for legislatures and their elected Members.

CHAPTER FOUR – EXECUTIVE DOMINANCE AND PARTY DISCIPLINE: SLIGHTED TRADITION OR WAY OF THE FUTURE?

Many observers have argued that Executive dominance of Parliamentary legislatures has become far too pervasive in the public policy process (Atkinson and Jackson 1980; Jackson and Conlin 1994; Fox and White 1991; Kilgour *et al.* 1994; Savoie 1999). The consequence, it is asserted, has been a diminution of the role of legislatures. The issue of Executive dominance is unquestionably related to the very relevance of legislatures. The 'Executive', consists of the Premier and his/her Cabinet at the provincial level, and the Prime Minister and his/her Cabinet at the federal level. Each member of the Executive is afforded access to several staff members and Ministerial resources. Collectively, they constitute a significant part of what will be termed "the Executive" throughout the remainder of this Paper.

A dominant Executive is an issue with which legislators are faced on a daily basis. Many observers (Atkinson and Jackson 1980; Jackson and Conlin 1994; Fox and White 1991; Kilgour *et al.* 1994) allege that Executive dominance is one consequence of the restrictive practises emerging from strong party discipline. Despite the capacity of Members to think for themselves, restrictions placed on their legislative voting suggests a contrary conclusion. Respect and confidence in Parliament has been declining (Cassidy 1995). People who spoke to the Spicer Commission suggested an array of remedies, (including proportional representation); all were grounded in the desire for a more responsive, open and *accountable* political system (Cassidy 1995). Recalling a definition of accountability provided by Brown-John (1993), "*accountability = enforced responsibility*"; party discipline could be viewed as the practise of such.

Reflecting upon Brown-John's assessment of the functions of legislatures, "*...to approve public policies; to approve expenditures; to approve revenue raising (taxation); and to hold government's accountable*" (1993), it is certainly apparent that legislatures are not responsible for the creation of public policies and corresponding laws but merely for the approval of same. Consequently, if such approval is dominated by a single agent within the legislature – the

Executive - a problem does exist. As Savoie (1999,50), points out: "Members of Parliament in our system are not elected to govern. Rather, they are elected to hold those who govern accountable for their policies and decisions." Neville Johnson (1977) observed that in the parliamentary system, "it is almost always the Government alone, particularly when it has a majority mandate, that drives public policy and public spending".

Generally, public policy proposals do emerge from within the bureaucracy, however it would be naïve and unrealistic to accept that this process is not guided or unrestrained by the Executive. Due to the nature of public policy initiation in a Parliamentary political system, it would seem to follow that party discipline would seldom allow for a Private Member to freely vote on most Executive sponsored policies and legislation. Political parties have demonstrated an overwhelming capacity to discipline Members who have the temerity to vary dramatically from the party line.¹

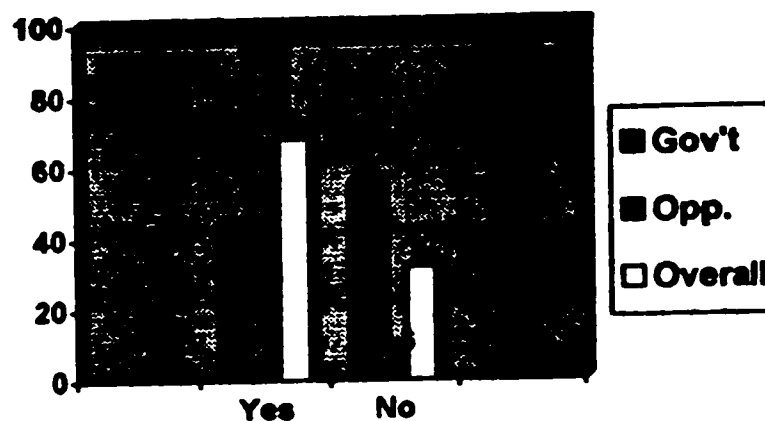
As a main issue facing legislators today, respondents were asked to *"express your opinions regarding the apparent increased dominance of legislatures by the Executive"*. Responses reflected a division that 68% of legislators who responded, were in agreement with the claim that Executive dominance of legislatures has become too pervasive, and 32% expressed opposition to this claim. Closer analysis of the source of the responses found that an equal distribution of Government and opposition Members responded to this question. Of the responses from Government Members, 44% agreed that Executive dominance of legislatures has become too pervasive while 56% of Government Members did not agree. Of the opposition Members' responses, 91.5% agreed while only 8.5% did not. Figure 4-1 illustrates the differences in the responses.

Clearly a certain degree of bias, emerges from this data. Respondents' affiliations either as Government or opposition Members, cast quite different

¹ The example of former federal Liberal MP John Nunziata, former Reform MP Jake Hoeppner, and former Progressive Conservative MP David Kilgour – all expelled from caucus – are stark reminders of Party Discipline.

perceptions on the role of a Parliamentary Executive. Government Member responses were divided by a narrow margin. Opposition Member responses reflected a much greater margin between those who agreed (91.5%) that there is an increased dominance of legislatures by the Executive and those who did not agree (8.5%). Legislatures seem to be perceived as actual 'law making' as opposed to 'law approving' bodies. Due to legislative management by Government whips and committee chairs, opposition Members have a reduced role in the legislative process. That role reduction, therefore, leads to frustration with legislatures and conclusions about Executive dominance and legislature irrelevance.

Figure 4-1



Atkinson and Jackson suggest that a main objective of legislatures should be to increase the policymaking role of the individual MP(P) within the legislative system (1980, 193). Many survey responses reflected this same sentiment in terms of expressions of concern about the prominence of the Executive vis-à-vis legislatures, *"The dominance of Cabinet within the legislature is unavoidable, the role of other legislators can be enhanced by mechanisms such as Private Members' days."* According to many respondents, both Government and opposition backbenchers often lose interest when they are excluded too often from policy making decisions. This helps explain, to some extent, much of the tendency of respondents to focus on constituency services as noted in the previous chapter. Although processes are in place in many legislatures to

provide for Private Members' bills, the process is limited. All legislatures permit Private Members bills. However, unless the intent of a Private Members' bill is fairly innocuous, or clearly a sensible idea,² or originate with a Government backbencher fronting for the Government, the chances of such a bill passing third reading are minimal. Even drafting a full-fledged Private Member's Bill requires a level of skill not usually available to the average backbencher. Legislators need access to information and expertise to be effective. The reality of this situation is that, *"Cabinet has a monopoly on such services, limiting the Private Member to his/her own devices."* With limited opportunities for Private Members to access information necessary to actively participate in the policy making process, their legislative role is significantly reduced.

Several respondents commented on legislative committee systems as possible alternatives to the frustration of coping with an Executive dominance of legislatures. The Ontario Legislative Assembly describes a legislative committee as,

A subordinate working group usually created by the Legislative Assembly from among its own members. As the parent body, the House may choose to refer (or "commit") certain business - proposed legislation, estimates, special studies, etc. - for more detailed review and public input in the smaller, representative and less formal forum of a legislative committee. Public hearings conducted by legislative committees provide an important opportunity for interested groups, individuals and organisations to express their opinions and participate in formulating public policy. At the end of their work, committee members report their findings and recommendations to the House for its consideration.³

Generally this description captures the essence of legislative committees across Canada. Respondents who addressed this aspect of legislatures hoped that increased reliance upon the committee system would lessen the dominance over the policy making process by the Executive. Cabinet was even referred to as *"a committee of its own"* by one respondent.

² A classic Private Member's bill was that which changed the name of the Crown's airline, Trans-Canada Airline, to Air Canada.

³ This explanation of committees was taken from the Committees page of the Ontario Legislative Assembly website, URL: www.ontla.ca. One may also find detailed descriptions of Standing Committees, Select Committees, Committee of the Whole House and ad-hoc Committees at this site.

Viewing Cabinet as merely one 'committee' of Government may be more ideal than realistic, given the power Cabinet has to make policy decisions. However, several responses expressed the desire to move to an increased consultation process via the committee system, as this might lessen the dominance of the Executive over the policy making process. This may not be a likely reality as virtually all Committees are chaired by Government members, themselves hoping their committee work will prove them to be Cabinet material. One member noted, *"...many Ministers through the committee process will listen and reconsider, often going with committee recommendation – and still, many have the decision cut and dried prior to committee input."* As long as Cabinet does appropriate consultation before bringing forward legislation and take it out to committee for adequate input, then 'Executive dominance' of the legislature could be avoided. However, as one member felt, *"...the current Government shuns consultation and prefers to bull through their legislation. They have no respect for the committee process."* This, unfortunately is the reality of the legislative committee system – Cabinet does not - and is not required to - consult with legislative committees prior to making policy decisions. Furthermore, legislatures have been peripheralised by Government initiated statutes containing vast Order-in-Council powers and, thus, regulations (Savoie, 1999).

There was a significant consensus among respondents regarding the increased use of Order-in-Council regulation by legislative Executives to supplant the policy making process. Regulation making, rather than proposing legislation, has become the focus of Cabinet. One member felt that as a result, *"...Ministers are now being given powers not held by Cabinet even!"* The alarm about this trend towards more 'government by regulation' came mainly from the 16 Ontario respondents. The consensus among respondents from Ontario, both government and opposition members, was that, *"Governments have used their majorities in the legislatures to transfer power away from the legislatures to Cabinet. It is far easier for bureaucracy to deal with Cabinet than to deal with the legislature."*

Governments need to place before legislatures their total programme and not attempt to 'manage' by Order-in-Council and regulation alone. Cabinet and individual Ministers - the Executive - are drawing more and more authority away from legislatures by massive legislative delegations of authority being rammed through compliant legislatures. It would seem that the regulatory ability of Cabinet is being used to such an extent that the power of the legislature is being usurped. Therefore, legislatures really are not necessary for governments to be able to advance their policy agendas. In Ontario in particular, the current government actually raised taxes by regulation! In order to achieve the Government's policy agenda, legislation (eg. Ontario's Bill 160⁴) can be rammed through the legislature with neither effective debate nor any alteration whatsoever. Such 'ramrod' legislation routinely contains broad delegations of discretionary authority to Ministers. Once approved by legislatures, Ministers and their senior officials then have vast authority to make regulations. Some of this legislation even contains "*Privative Clauses*" which purport to deny the Courts jurisdiction to review decisions of the Minister or his/her officials. The controversial Bill 160 was argued clearly to be in violation of established parliamentary principles, yet the delegation of regulation making discretion won over parliamentary, and possibly even constitutional principles.

It is true that the British Parliamentary system of Executive government adopted in Canada, does put a great deal of power in the hands of Cabinet and leaves a diminished role for legislatures. Legislatures are only as effective as the persons and political parties which occupy their collective seats. This leads to another issue facing legislators and their struggle against Executive dominance of legislatures - the entrenched practise of party discipline.

The British Parliamentary process, as practised in Great Britain might serve to show an alternative where voting is far less rigid. Examples from the Canadian federal government demonstrate the punitive consequence of those who choose to vote differently⁵, as was the case with Bill C-68.⁶

⁴ Bill 160 was a significant re-definition of the role of municipal school boards to allow the provincial government to collect school taxes.

⁵ Refer once again to footnote number one, with examples of expulsions from three federal parties.

When questioned about the concern over the role of party discipline, responses were mixed. Some respondents suggested that the Canadian system of "toeing the party line" does a great disservice to democracy. Likewise, the need for legislators to adhere to party discipline invited statements like *"it [party discipline] limits the forward progression of any group – women, aboriginals, minorities, individuality... it is a toxin in the Canadian Parliamentary system."* Conversely, several other respondents expressed the view that caucus is the place to overcome discrepancies and reach compromises as *"members are free to speak out in caucus and it is here that they can openly debate issues"*.

Despite apparent perceptions of party discipline as a rigid and restrictive practise that has consequences for those who fail to respect party line, respondents made many positive and supportive comments. More than 75% of respondents agreed that caucus is the place for discussion of bills and prospective policy ideas. Likewise, approximately 80% expressed the view politics is a 'team sport' where the caucus is collective and must speak as a united voice in order to be viewed as an effective and legitimate opposition and even prospective new Government by the public. The view that the current party system provides stability and continuity was suggested by several respondents from both opposition and government parties. It was the general consensus among these members that the party system is important to the survival of democracy, and therefore, some party discipline must exist.

Little else can be deduced from the respondents pertaining to party discipline because those who supported this practise simply affirmed their support for the current system of party discipline. What is interesting is the scattered views of several government and opposition respondents from across the country. The notion that each member is elected to represent the people and to take a stand on issues that affect the constituency is readily submerged when discussion of party discipline arises. Responses from the first question pertaining to "time devoted to work in the legislature versus time devoted to work

⁹ Bill C-68, entitled *"An Act Respecting Firearms and Other Weapons"* was a controversial proposal for reforming Canadian gun control laws.

in the constituency", overwhelmingly supported constituency services over work in the legislature. However, there remained only a handful of respondents who reiterated this belief when asked questions pertaining to the practise of party discipline. The majority of the responses found that party discipline is in fact a necessary component for the successful operation of legislatures.

There was however, still a significant minority of responses that inferred that representing constituents that voted for them is what these members believe to be their first priority, even over following party lines. *"The people who elected or voted for us, in reality, are the people we work for."* Likewise, one respondent felt *"There is the idea that members are basically trained seals who vote the way they are told by the party whips or risk an end to their political careers"*. An interesting, yet cynical commentary from a federal opposition member captured the dilemma,

Until we are willing to share power we will have our kings and queens rewarding or punishing as they see fit. Perhaps because the party I belong to allows us to express different opinions, we will not attain power because we are not all bucking under the party whip. I do not believe there should be such things as party whips. The whole process is quite degrading and just legitimates hierarchies I do not support.

The party whip is the member of the party who maintains party discipline. In greater detail, the duties of the whip are to ensure the presence of party members in the legislature or at committee meetings and to maintain adequate representation should a vote be held. The whip also arranges the business of his or her party in the house, usually in consultation with other party whips and informs party members of forthcoming business.⁷ In no ordinary terms, the whip is as its name implies, thus keeping the Members in line. One respondent acknowledged the powerful consequences of the party whip if party lines are not adhered to, *"...sometimes there is a price to pay – it may not be direct but it certainly can be subtle."*

⁷ Taken from the Glossary of the Ontario Legislative Assembly website as cited above.

It is true that Canada's current system of Parliamentary government requires the Government in power to maintain the support and confidence of the majority of Members of its legislature. This notion is a simple justification for party discipline. In order to maintain such support, the Executive must remain willing to use measures that can be seen, at times, as harsh. As reflected in the responses of legislators, there are two clear sides to this argument. In a 1994 debate (Charlton and Barker 1994) entitled "Should party discipline be relaxed?" these two opposing views were clearly enunciated. The "yes" team argued that relaxed party discipline would advance the cause of democracy and provide better representation for individual constituents (Jackson and Conlin, 1994). The "no" side countered that the weakening of party discipline would give Canada an American-style system in which special interest groups, not elected officials, would control our legislative representatives (Kilgour *et al.* 1994). These arguments have been clearly reiterated by our respondents, thus suggesting that Executive dominance of legislatures and party discipline in fact may be major contributors to impressions of decreased relevance of legislatures.

If adhering to party discipline, is the "only way" to effectively operate legislatures in Canada, as so many respondents suggested, then it is imperative that there be measures taken to educate the public about caucus, caucus meetings, and the principles of a caucus majority. In order to render party discipline less vexatious, public perceptions must be acknowledged accordingly. Surely party members can and do think for themselves but they are expected to behave according to institutional expectations. Such expectations include the adherence to party discipline. Likewise, institutional expectations include adhering to certain rules of conduct within legislatures, but do not seem to include such strict denouncements that are in place for breaking party line, for a breakdown in decorum within legislatures. If the adherence to institutional expectations is required within legislatures to render their continued relevance, then the public outbreaks within legislatures by several members, have only added to the continued scepticism of the public regarding legislatures in Canada. The following Chapter will address this concern.

CHAPTER FIVE – QUESTION PERIOD AND DECORUM IN THE LEGISLATURE?

The behaviour of members in legislatures across Canada has become a media event. An apparent increase in use of abusive language and an overall decline in decorum appear to have been on the rise since the advent of television cameras within legislatures. The camera, it is alleged, is responsible for the change in members' conduct. Many survey respondents attributed the decline in legislative decorum to the use of television cameras within legislatures. Most respondents agreed that effectively, behaviour has worsened, particularly during Question Period. The survey questionnaires sought the personal opinions of legislators concerning this apparent growing lack of decorum. Not surprisingly, one hundred per cent of respondents agreed that there is room for improvement insofar as legislative decorum is concerned.

Public perceptions of legislatures are significantly shaped by occurrences during daily Question Period. Often these make the front page of the newspaper and fit neatly as the thirty second time slot between the sports and the weather on the nightly television news. Such detached bits of 'information' are often featured more for their shock value than for their informative content. Outbursts and insults that have been shouted out during Question Period suggest a breakdown in the decorum of a legislature. Regrettably, these pieces of 'news' do not depict a clear picture of reality and of what goes on in Canadian legislatures. Whether it is during Question Period or an open committee meeting, television cameras often tend to record dramatic disruptions rather than routine business. Public perception is shaped accordingly.

Question Period is intended to provide a forum for the opposition parties to pose probing questions to Ministers. While this does normally occur, often it can also result in an embarrassing display of heckling between opposition and Government Members. Thus, a legislature often appears to have been transformed into a forum for the opposition to embarrass a Government through abuse and invective rather than stimulating debate. Naturally, a Government side tends to respond in kind. With this type of behaviour as an apparent norm, it

would be easy to conclude that Question Period is an inefficient mechanism for accomplishing anything within legislatures.

While it is generally true that Question Period is only a minor part of what actually takes place in Canadian legislatures, it is often the only part of a legislative day witnessed by Canadians. Overall, Canadians are exposed more frequently to brief media coverage of legislative events than they are to parliamentary coverage provided live on appropriate parliamentary television channels. This results in a distorted view of what actually transpires in legislatures. An outrageous or controversial remark within the Alberta legislature is sure to air on the nightly news from British Columbia to Newfoundland. Not only does this leave Albertans with a rather inadequate perception of their own legislature, but it shapes perceptions of other Canadians as well.

When our respondents were asked for their observations regarding decorum within legislatures, 13% specifically agreed that Question Period was when the majority of problems concerning the apparent breakdown in decorum of legislatures occurs. Of respondents who did not specifically cite Question Period as a specific area of concern, 81% implied that Question Period certainly offered opportunity for the worst behaviour within legislatures.

Of those who cited Question Period as a specific area of concern, several respondents believed that therein decorum suffers its worst abuse. However, respondents also indicated that outside of Question Period, decorum within legislatures remains in tact;

"It's unfortunate that people have formed their attitudes on the televised question period material...decorum very seldom breaks down in our House."

"I agree, but generally this only occurs during question period when the cameras are on."

"In our legislature, Question Period is the 'made for TV' excitement. During the balance of the day, decorum breaks down only on occasion."

"The 'theatre' of Question Period is caused by members playing for the television camera."

"The televised Question Period portion of legislatures is part reality, part theatre."

"What the public sees most of the time is based on the political theatre that Question Period has become."

"I am upset by this behaviour. This relates back to the use of cameras and the need to capture the story."

"The reason the public is concerned with the behaviour of elected representatives is because of their portrayal by the media. The press loves a fight. The reality of competent members doing a painstaking job just is not news."

"I believe some legislators play to the media in trying to score political points."

"Most of this occurs in Question Period – there is a need to make it work better for the people and not just [as] a media event."

"...at the same time, a lot of this [public concern] comes strictly from the media's focus on question period. Much of our debate is very civil and as a result often ignored."

"Tempers do flare and comments are made but these are few and often overshadow the serious debate that takes place. Unfortunately the media often sensationalises the short outbursts."

Media coverage is certainly a significant part of what forms public perceptions of legislatures. Indeed, 32% of respondents believed that a breakdown in decorum occurred only as a direct result of live television coverage within a legislative Chamber. Members playing to the cameras is an all too frequent refrain. Ultimately, most respondents agreed that the most common and troublesome result is that the public shapes its perceptions based upon the televised antics of Question Period material only. Respondents seem justifiably concerned that otherwise highly respectable debates and committee accomplishments which occur in and around legislatures, are largely ignored.

If legislatures by definition are forums for free speech, then there should be less attention to media sensationalisation of exchanges during Question Period. However this is not the reality of the situation. The apparent flagrant abuse of 'free speech' during Question Period may be cause for public concern. According to one respondent, ***"I believe our legislators lack the admirable orating skills of previous ages. It seems personal attacks are more the 'norm' than eloquent remarks that play on our English language."*** Likewise, another member observed,

No longer is the ability of an individual to speak eloquently for extended periods of time given value. A sound byte, a quip, a flippant remark, a heckle, are all

of more value than substance. Thus, the bar is lowered as each tries to fit into the modern media's insatiable need for reducing complex issues into a line or two.

There was no doubt among respondents that the live televising of proceedings has increased the level of Members' grandstanding. However, one member believed that there was little real difference in the behaviour of members within legislatures. He believed that, *"what has changed is the peoples awareness of what goes on in the legislature because of Hansard, news, and the televised legislatures."*

As noted, 100% of the respondents agreed that, for whatever reason, Canadians should be concerned about the behaviour of their elected representatives. Mancuso et al.'s (1998) study on ethical behaviour of elected officials certainly offers substantial evidence that the public is not very tolerant of abuses of the system.

One key role identified by a small proportion of respondents was that of the Speaker. Fewer than 9% of the respondents acknowledged the role played by the Speaker when a breakdown in decorum occurs. It is the Speaker's responsibility to uphold rules of procedure and to ensure that the business of the House is carried out in an orderly manner. The Speaker is elected by all Members of a legislature to fulfil this role. However, as one member observed, *"Heckling has become too common place. The Speaker requires more respect."* It could be argued that more respect for the institution and procedures is required. As noted earlier, Members are required to behave according to institutional expectations. This would appear to make the Speakers' job much easier.

Nevertheless, the Speaker is solely responsible for the decorum within a legislature. It is much too simple to say that, *"the Speaker should clean up decorum and language if this is an issue."* The question remains whether this is really within the Speakers capacity. An interesting comparison was drawn by one respondent, who depicted the Speaker as akin to a substitute teacher with no control amidst a class of grade six students (the Members of the house). One extreme suggestion for holding the Speaker accountable for a lack of decorum

within legislatures came from a respondent who argued, *"if the press can print what is said in the legislature, then perhaps the Speaker should be held liable for rumours made."* This would suggest that if the Speaker was unable to control the tempers of Members' then s/he would be liable for comments made during such heated exchanges.

If the Speaker is able to control a legislature and preserve Parliamentary privilege, then legislatures work well. However, hot tempers and boisterous personalities often have the ability to drown out pleas of a single Member, even when that Member is the Speaker trying to enforce decorum. Ultimately, it is the Members' responsibility to maintain decorum within legislatures. If such behaviour remains to be tolerated in legislatures, the public perception of legislatures is certain to decline, thereby rendering the institution apparently less relevant.

An attempt to educate the general public on matters concerning legislatures may help to ameliorate declining public perceptions of the institution of Parliament. Education of the public, indeed, was one of the primary goals of bringing legislatures to life via live television coverage of such events as Question Period, legislative votes, and the reading of petitions in legislatures. The federal Parliamentary broadcast channel (CPAC) and the various provincial legislative channels do not edit material as is the norm for private media. Thus, public education may not be adequately achieved via television. As preceding responses suggest, public perceptions are shaped by the media's portrayal of events in legislatures. And, an important factor to consider is that, despite what shapes public perceptions, they certainly seem to be negative in most respects.

One of our respondents suggested that,

"It should be part of formal education to help students understand the value of debate and of the pen. Decorum and mutual respect could improve – but education would help to recognise the value of our democratic tradition."

Suggesting that the public needs to be educated regarding the value of Canada's democratic tradition is perhaps a cause for concern in itself. If this tradition includes a lack of decorum in legislatures then perhaps the institution is not as

relevant as it should be, and if that is so, would it not possibly follow that even laws may cease to be relevant over time. If Canadian legislatures cannot function civilly then what purpose would it serve to educate our children to this fact? It would appear that this is more of a justification for the poor behaviour than a legitimate response to the problem.

Conversely, if public education were to include the many functions and outputs of legislatures then perhaps a general understanding of the Parliamentary tradition of legislatures would be achieved. Such an understanding may help to alleviate any public misconceptions resulting from the often distorted portrayals of legislatures by the media. Ultimately, Members must look to themselves and their responsibilities to their constituents to represent them with respect and decency in a legislature. Otherwise, the public perception of legislatures is certain to decline, thereby rendering the institution apparently less relevant.

CHAPTER SIX – CONCLUSIONS

To reiterate, *“Entering the new millennium, does the Parliamentary Legislature in Canada continue to have relevance?”* The preponderance of views derived from interview and survey responses suggest that the answer to this query is, simply stated, “yes”. With the coming of a new millennium, many research projects will seek to examine how certain aspects of life will change in order to adapt to new and exciting times. This Project attempted to do just that by examining the relevance of the Parliamentary Legislature in Canada from the perspective of legislators.

Primary data obtained from the survey and interviews provided significant support for a conclusion as to the continued relevance of the institution. Indeed, there is a place for the Parliamentary legislature in Canada's future. To question its place however, this Paper serves as a mere starting point in this area of research. Indeed, while the data obtained was pertinent to this study, it is certainly valuable for future research regarding the future of the Parliamentary tradition of legislatures in Canada.

The many legislative reform proposals; the issue of Executive Dominance of legislatures; the apparent rigidity of party discipline and a continued breakdown in the decorum of legislatures, are issues that persist for most contemporary Canadian legislatures. The apparent result of a growing public cynicism by the public may not be fully warranted. Whether or not it is a “product of the press” really is not the issue herein. The continued enforcement of party discipline and growing Executive Dominance of legislatures threaten their very legitimacy. Whether or not the public acknowledges this threat remains to be seen. Likewise, the often volatile behaviour of Members during Question Period can greatly contribute to public cynicism. The available literature does not fully engage the seriousness of these issues in the many suggestions for reform. This Paper, however, addressed more than popular reform proposals.

The ‘decline of Parliament’ trend, that is commonly suggested in reference to the relationship of Parliament to the Executive and thus, the making of public policy, is a reasonably accurate assessment of the direction legislatures are headed in

future. However, contrary to negative connotations associated with this projected trend, this 'decline' does not entail the *end* of Parliament as it is presently constituted, it merely implies that certain accepted norms are being altered or replaced by different and evolving practices. For instance, the increased dependence on information technology that is taking Canadian legislatures into the next millennium suggests a markedly redefined relationship between legislators, their constituents and legislatures.

As a body for influencing public policy and for engaging public support, actually Parliament is not less effective than it was presumed to be in the 19th Century (Norton, 1987). Indeed, the use of information technology has potential to render Parliamentary legislatures in Canada more relevant as their capacities to reflect greater consultation and communication prosper. Future advancements in technology are sure to influence and in fact enhance the procedures of legislatures and ultimately, the outputs of legislatures as well.

Brown-John's (1993) identification of the Parliamentary requirement for direct accountability leads to the identification of the four key roles of legislatures:

- to approve public policies;
- to approve expenditures;
- to approve revenue raising (i.e.: taxation); and,
- to enforce accountability.

Brown-John argues that we misunderstand legislatures when we presume them to be actually engaged in designing and constructing laws. Legislatures approve laws as the constructs of others, such as the Executive and the bureaucracy (1993, 64-68). The advent of a new millennium will not see any significant changes to these key roles. Therefore, the role of Parliamentary legislatures in Canada remains just as relevant today and into the future, as identified in the functions above, as they will in future. Further, if legislatures are publicly perceived to be ineffective, weak or even irrelevant, it is because there is insufficient widespread appreciation of their fundamental roles and not because they are irrelevant as policy review and accountability institutions. Should these roles change, then the question of the relevance of the institution could rightfully be applied.

Perhaps the last words should be left to those from whom we solicited views on the relevance of legislatures, the elected members themselves. The following comments are from the survey and interview respondents. They suggest widespread support for the continued relevance of legislatures in Canada.

"Legislatures certainly continue to have relevance. In every session of the legislature I see bills which affect – in fundamental or subtle ways- the lives of my constituents."

"Yes legislatures are relevant, if for no other reason than there does not seem to be a better alternative."

"I would not consider any other alternative."

"We still have one of the best systems."

"This is the hub of democratic governance. Without legislatures, power would flee to large corporate entities and for the wealthiest and most influential in society."

"Legislatures are needed now for a different function than a century ago."

"Legislatures are very relevant, who speaks for the people in your constituency if you do not? Who would debate and propose legislation? Plan budgets? Who would develop social programs for the benefit of all people? Who would lead in the developing of a caring and compassionate society? Business? Not likely."

"Yes we continue to have relevance, as long as we (Members) continue to consult with public, to question decisions and are listened to and are listening."

"In a democratic system legislatures are always relevant."

"There may be fluctuations in the public's view of their effectiveness, but legislatures are an essential element of our system."

"Legislatures are the fundamental tool used by modern democracies."

"Legislatures are essential to the proper functioning of democracy. We would have a lot worse [sic] governments without them."

"Legislatures are still relevant for providing a forum to our political process, and for holding the government of the day accountable."

"Yes legislatures are relevant, especially if you consider the alternatives."

"Yes, legislatures still have relevance but people need to understand fully that daily decisions don't get made there. It is still a great forum for broad public policy debates."

"Definitely the legislatures continue to have relevance."

"I believe that legislatures are more representative, more evenly balanced, more transparent than any period in history. They are more relevant and I believe more effective than at any time in the past."

"Legislatures do have relevance. We are fully accountable to our electors."

"Yes I feel strongly that indeed legislatures are very relevant in today's world."

"Legislatures have great relevance as through this body our rights as Canadians for freedom of speech and democracy are asserted."

"Yes legislatures are still relevant, even as an opposition member I believe this."

"Legislatures are more necessary than ever, you've got to keep this concerned group of people elected to work full time."

"Yes – legislatures are still very much relevant. Government is about people connecting with people."

"Yes, legislatures have an even greater role in the future."

"Of course they are, they are an essential part of the leadership process."

In aggregate these often disparate comments reflect an overwhelming consensus among our respondents that legislatures are relevant and will remain as such well into the future. Despite criticisms and suggestions for improving the current systems across Canada, those who responded indicated their overall support for the current system of Parliamentary Legislatures that exist within Canada. We sought to answer no other questions in this study.

If Parliamentary institutions, as presently constituted, are apparently failing to meet even the slightest hint of reform, then what does the future hold for these institutions? The possibilities may not be endless but they are many. Future research in the areas listed above will lead to more definitive conclusions regarding the continued relevance of Parliamentary institutions. The role a Government backbencher plays in contrast to that of an opposition member varies significantly.

This relationship could be examined in order to provide a more definitive account of the perspectives of legislators.

The issue of Executive Dominance may be expanded to include an examination of the relationship between the number of members in a legislature and the size of the Cabinet and how this relationship affects the relevance of legislatures. Likewise, the practise of party discipline could be examined from the point of view of opposition members versus government members. Question Period and its association with lagging decorum could prove to be hazardous to the continued relevance of the institution. A stronger emphasis on public education concerning the Canadian Parliamentary tradition is needed in order to decipher the myths from the reality of the daily occurrences within Canadian legislatures. What initiatives will be undertaken by legislators to ensure that the apparent misinformation provided by the media is countered with education?

To be more specific, here are some probable and fruitful areas for further research arising from this thesis:

- Candidate selection processes - if constituency service is so important it would be useful to examine the qualifications and even the personality of the candidate.**
- The "democratic deficit" - how is representation affected if the number of seats is reduced or increased in a legislature?**
- The primary role of an elected member - is the members' job to provide public policy input/output or to simply act as a representative within the constituency.**
- Opposition members versus Government members - Government access to caucus input and the lack of same for opposition members; newer, younger Cabinet Ministers and their lack of legislative (and opposition) experiences.**

Ultimately, the tools and trademarks of Canadian legislatures will change over time. Indeed, it is within these changes that the institution will endure and even prosper.

REFERENCES

- Atkinson, Michael M. and Robert J. Jackson. (1980). (2nd ed.). ***The Canadian Legislative System***. Toronto: Gage Publishing Limited.
- Brown-John, C.L. (1993). "Accountability Re-Revisited". ***Optimum***. Vol.23 #4 pp.64-68.
- Cassidy, Michael. (1995). "How PR Would Improve Canada's Electoral System". ***Politics: Canada***. Paul Fox and Graham White (eds.) Canada: McGraw-Hill Ryerson Ltd.
- Charlton, Mark and Paul Barker, (eds.). (1994). (2nd ed.). ***Crosscurrents Contemporary Political Issues***. Canada: Nelson Canada.
- Clarke, Harold D. Richard G. Price and Robert Krause. (1975). "Constituency Service Among Canadian Provincial Legislators: Basic Findings and a Test of Three Hypotheses." ***Canadian Journal of Political Science***. VIII, no.4 December 1975.
- Coombes, D. (1982). ***Representative Government and Economic Power***. London: Heinemann.
- Courtney, J.C., (ed.). (1985). ***The Canadian House of Commons: Essays in Honour of Norman Ward***. Calgary: University of Calgary Press.
- Docherty, David C. (1997). ***Mr. Smith Goes To Ottawa: Life in The House of Commons***. Vancouver: UBC Press.
- Economist, The* (1999). "Politics Brief: Is There a Crisis?" Vol.352 (#8128), July 17, pp. 49-58.
- Fleming Robert J. and J.E. Glenn eds. ***Fleming's Canadian Legislatures 1997, Eleventh Edition***. (1997). Toronto: University of Toronto Press.
- Fox, Paul W. and Graham White, (eds.). (1991). ***Politics: Canada Seventh Edition***. Canada: McGraw, Hill, Ryerson Limited.
- Franks, C.E.S. (1985). "Question Period and Debate in the House." In ***The Canadian House of Commons: Essays in Honour of Norman Ward***. J.C. Courtney (ed.) Calgary: University of Calgary Press.
- Harrison, Reginald J. (1980). ***Pluralism and Corporatism: The Political Evolution of Modern Democracies***. London: George Allen & Unwin.

- Jackson, Robert J. and Paul Conlin. (1994). "The Imperative of Party Discipline in the Canadian Political System." In ***Crosscurrents Contemporary Political Issues Second Edition***. Mark Charlton and Paul Barker eds. Canada: Nelson Canada.
- Johnson, Neville (1977). ***In Search of the Constitution: Reflections on State and Society in Britain***. London: Methuen.
- Jordan, A.G. and J.J. Richardson. (1987). ***British Politics and the Policy Process***. London: George Allen & Unwin.
- Kilgour, David *et al.* (1994). "Should Party Discipline Be Relaxed?" In ***Crosscurrents Contemporary Political Issues Second Edition***. Mark Charlton and Paul Barker eds. Canada: Nelson Canada.
- Laghi, Brian. (1998). "Politicians' privileges fuel public discontent...". ***The Globe & Mail***. October 17, 1998, Page A11.
- Lehmbruch, Gerhard. (1977). "Liberal Corporatism and Party Government." ***Comparative Political Studies*** 10:91-126.
- (1979). "Liberal Corporatism and Party Government." In: Phillipe C. Schmitter and Gerhard Lembruch eds. ***Trends Toward Corporatist Intermediation***. Beverly Hills CA: Sage Publications.
- Levy, Gary and Graham White (eds.) (1989). ***Provincial and Territorial Legislatures in Canada***. Toronto: University of Toronto Press.
- Loewenberg, Gerhard. (1971). ***Modern Parliaments: Change or Decline?*** Chicago: Aldine Atherton.
- Mancuso, Maureen *et al.* (1998). ***A Question of Ethics Canadians Speak Out***. Toronto: Oxford University Press.
- Norton, Philip. (1987). ***Parliament in Perspective***. UK: University of Hull Press.
- Putnam, Robert *et al.* (forthcoming 2000). ***What is Troubling the Trilateral Democracies***. Princeton, N.J.: Princeton University Press.
- Rokkan, Stein. (1966). "Norway: Numerical Democracy and Corporate Pluralism". In: Robert Dahl ed. ***Political Opposition in Western Democracies***. New Haven: Yale University Press.

- Savoie, Daniel J. (1999). ***Governing From the Centre: The Concentration of Power in Canadian Politics***. Toronto: University of Toronto Press.
- Schaffer, William R. (1998). ***Political Change in Norway***. Columbus OH: Ohio State University Press.
- Sundquist, James L. (1981). ***The Decline and Resurgence of Congress***. Washington D.C.: Brookings Institution.
- Usher, Dan. (1998). "The Colour of the Judges Eyes: Efficiency as a Criterion for the Legislature and the Courts." Discussion Paper #969. Kingston, ON: Queen's University, Institute for Economic Research.
- Wheare, K.C. (1963). ***Legislatures***. New York: Oxford University Press.
- White, Graham. (1989). ***The Ontario Legislature: A Political Analysis***. Toronto: University of Toronto Press.
- (ed.) (1997). (5th ed.). ***The Government and Politics of Ontario***. Toronto: University of Toronto Press Inc.
- (1998). "Shorter Measures: The Changing Ministerial Career in Canada." ***Canadian Public Administration***. 41(3), pp.369-394.

Following are the provincial URL locations that were referenced:

Alberta	www.gov.ab.ca	Northwest Territories	www.gov.nt.ca
British Columbia	www.gov.bc.ca	Ontario	www.gov.on.ca
Manitoba	www.gov.mb.ca	Prince Edward Island	www.gov.pe.ca
New Brunswick	www.gov.nb.ca	Saskatchewan	www.gov.sk.ca
Newfoundland & Labrador	www.gov.nf.ca	Yukon	www.gov.yk.ca
Nova Scotia	www.gov.ns.ca		

APPENDIX A

THE FUTURE OF LEGISLATURES (?)

A MILLENNIUM RESEARCH PROJECT

**Director of the Project: Dr. C. Lloyd Brown-John,
Department of Political Science, University of Windsor, WINDSOR, Ontario N9B 3P4
Tel: (519) 253-4232 Ext. 2359 FAX: 519.973.7094 Email: lbj@uwindsor.ca**

THE FUTURE OF LEGISLATURES(?): a Millennium Research Project **A SERIES OF QUESTIONS FOR LAW MAKERS...**

WHAT'S THIS ALL ABOUT?

It is about...Does an Institution of Government created in the 18th and developed in the 19th Century really matter in the 21st Century?

Does the popularly elected legislature still continue to be a relevant concept or is there an alternative or better way with which the business of the people can be conducted?

WHY ARE YOU ASKING ME THESE QUESTION?

As an Elected Member of a Legislature you are one of the few people well placed in the "hot-seat" so-to-speak to comment upon Legislatures and how they function and what they do and do we—the taxpayer—really need them?

CAN'T YOU GET THIS INFORMATION IN A LIBRARY?

Not really! True, there is a large body of academic literature on Legislatures but we are trying to engage those of you who are directly involved in the trenches in providing ideas and comments which might—only might!—help Canadians map out a future for legislative law making.

AM I DOING SOMEBODY'S HOMEWORK FOR THEM?

Absolutely Not! The Question—are legislatures still relevant?—came up at the Canadian Political Science Association's Annual Meeting in Ottawa in June 1998. I believe the question deserves consideration and there is only one way to answer it—seek opinions from knowledgeable people such as current legislators and former legislators. You people are the experts.

IF I ANSWER YOUR QUESTIONNAIRE, WHAT ARE YOU GOING TO DO WITH THE COMMENTS I PROVIDE OR THE "DATA" GENERATED?

Well, we are absolutely not going to do anything with it unless you agree. First, raw statistical data becomes "aggregate data" and that is simply anonymous (eg. 9 out of 10 Dentists surveyed preferred rubber cement). However, several questions ask you for short or even extended written comments. You May be Quoted only if you agree and indicate your agreement. This is NOT an attempt to embarrass, unmask or otherwise malign anybody. We need your valued and considered views and opinions. Without your views we can only speculate.

CAN I OBTAIN THE INFORMATION AND AGGREGATE DATA YOU PEOPLE DERIVE?

Absolutely. Naturally, if a person does not wish his or her name attached to comments you may receive them but they will be anonymous. In fact, we'd love to share our findings with you in a quiet—perhaps, off-the-record manner.

WHO'S DOING THIS PROJECT ANYWAY?

My name is Lloyd Brown-John. I'm a Professor of Political Science and Public Administration at the University of Windsor. I'm in the 31st year of my profession and I've published a pile of stuff. I have four students working with me and I rather hope they will learn something about research and about legislatures.

Your assistance by answering and returning the questionnaire would be very much appreciated.

Cheers

L.B.J.

APPENDIX B

THIS IS A QUESTIONNAIRE. IT IS AN EFFORT TO PROVIDE SOME INFORMATION ABOUT LEGISLATURES FROM LEGISLATORS. IT WILL TAKE ABOUT 10 TO 15 MINUTES OF YOUR TIME TO COMPLETE. PLEASE HELP US TO HELP YOU AND OTHER CANADIANS. PLEASE DO YOUR UTMOST TO COMPLETE THE QUESTIONNAIRE AND RETURN IT IN THE PRE-STAMPED ENVELOPE (The stamps will go to children).

1. If you had to Estimate (or, Guesstimate!) roughly how an average Legislative work-week is allocated, what PERCENTAGES of your time would be devoted to:

Time Actually Sitting in the Legislature?: _____ %;

Time Attending Legislative Committee Meetings?: _____ %;

Time Devoted to Caucus and Caucus Business?: _____ %;

Time Devoted to Constituents' Concerns?: _____ %;

Time Devoted to Commuting to Constituency?: _____ %;

time Devoted to Constituency Business?: _____ %;

Time Devoted to Managing your own Personal and Family Life?: _____ %;

Anything we Forgot "Time-wise"?: _____ %.

2. Committees of the Legislature of which You are:

i): A Member: _____

ii): Chair/Deputy Chair: _____

3. Are You a Member of an Opposition Caucus _____; or, a Government Caucus _____? Party: _____?

Cabinet Minister: _____?

4. What is the TOTAL Number of Years that You have been a Member of the Legislature?: _____

5. Thinking back to your first election campaign and your reasons for seeking elected office and the experience you now have as an elected Member of a Legislature, in terms of personal career Satisfaction, would you generally say that you are:

Very Satisfied: ____; Satisfied: ____; A Little Unsatisfied/Disappointed: ____;

Very Unsatisfied: ____;

THE FUTURE OF LEGISLATURES (?): A MILLENNIUM RESEARCH PROJECT
Director: Dr. C. Lloyd Brown-John, Department of Political Science, University of Windsor, WINDSOR, Ontario N8B 3P4

THE NEXT SERIES OF QUESTIONS ARE SHORT, WRITTEN, ANSWERS.

6. Based upon your experience in the Legislature, what single alteration would you make to improve the day-to-day work of the Legislature? Is there a Second alteration you'd consider?

Use reverse →

May we quote you? YES: ☐ NO: ☐

Name: _____

7. In a recent book by Maureen Mancuso (Guelph Univ) et al/ See: Globe & Mail, 17 Oct.'98] provides overwhelming evidence that Canadians are concerned about the behaviour of elected representatives in legislatures, abusive language in legislatures, (not including Mr. Clinton!) moral attitudes, "cheap-shot-ing", lack of decorum, etc. From your perspective as a legislator, can you offer your personal observations?

Please Continue on Reverse →

May we quote you? YES: ☐ NO: ☐

Name: _____

8. Many observers have argued that Cabinet has become far too powerful or dominant in the public policy process thereby diminishing the role of legislatures. What is your opinion?

Please Continue on Reverse →

May we quote you? YES: ☐ NO: ☐

Name: _____

9. Party discipline has been vexatious in the public mind: "Why can't Members think for themselves?" What are your views?

Please Continue on Reverse →

May we quote you? YES: ☐ NO: ☐

Name: _____

Director: Dr. C. Lloyd Brown-John, Department of Political Science, University of Windsor, WINDSOR, Ontario N9B 3P4

a) Do Legislatures—as presently constituted—continue to have relevance?; and,
b) In Your Opinion, What can be done to enhance the position of elected legislators in the public policy process? Your views and comments on this—and any other related subject (eg. procedures, processes) would be welcome.

YES:

☐

NO:

NAME: _____

This image shows a single sheet of white paper with horizontal black ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Future of Legislatures - 4

APPENDIX C

APPENDIX C

SCHEDULE OF SURVEY ACTIVITY

November 18th	First mail out of survey's to Provincial MLA's.
December 18th	Mail out completed. Total of 514 survey's sent to Provincial MLA's throughout the provinces, excluding Quebec (due to the pending provincial election). Total of 93 survey's were sent to Federal MP's, (including Bloc MP's). Grand total of survey's mailed = 607.
December 16th	First personal interview - via telephone with Jane Stewart, MP (Liberal - Brant).
December 17th	First reminder via telephone to Party Leader's office requesting them to remind their members to fill out the questionnaire.
December 19th	Returns numbered at 50!
January 8th	Interview with Pat Hoy, MPP (Liberal - Essex-Kent). Interview with Bruce Crozier, MPP (Liberal - Essex).
January 9th	Interview with The Honourable Herb Gray, Deputy Prime Minister, (Liberal - Windsor).
January 12th	Interview with Remo Mancini, former MPP (Liberal - Windsor).
January 18th	Interview with Bill Wrye, former MPP (Liberal - Windsor).
January 25th	Interview with Susan Whelan, MP (Liberal - Essex-Windsor). E-mail reminders sent to party/caucus leaders.
January 29th	Interview with Wayne Lassard MPP (NDP - Windsor). Interview with The Honourable Senator Eugene Whelan, P.C.
February 9th	Interview with Dwight Duncan, MPP (Liberal - Windsor).
As of February 15th	Total number of returns = 73 questionnaires

APPENDIX C cont'd...
CODING OF QUESTIONNAIRES

Total returned per province:
(as of February 15th)

01	British Columbia	9
02	Alberta	7
03	Saskatchewan	8
04	Manitoba	6
05	Ontario	16
06	New Brunswick	5
07	Newfoundland	3
08	Nova Scotia	6
09	P.E.I.	5
10	Federal	<u>8</u>

Total Returns 73

* Government Members are coded with an even digit:
ie: 01 002; 01 004...

* Opposition Members are coded with odd digits:
ie: 01 001; 01 003...

APPENDIX D

The Future of Legislatures (?) : A Millennium Research Project

PRESS RELEASE

Windsor, Ontario: Do Canadian legislatures matter? 15 March 1999

Throughout the Fall of 1998 a group of senior students, under faculty supervision at the University of Windsor, undertook an examination to assess the relevance of Parliamentary legislatures in Canada at both federal and provincial levels. The project was described as a "Millennium Research Project" because it was aimed at assessing the future of existing legislatures into the 21st Century.

Reduction in numbers of legislative seats and thus, of elected representatives, was a specific focus of the Project.

Concerns have been widely expressed about what is described as "the democratic deficit" arising from the reduction of legislative seats arising from the greater number of constituents who will be represented by MP's and MPP's. A major focus of the Project was the effect that such change is having on the capacity of the individual Canadians to be heard by their government representatives.

Several provincial and national political leaders have expressed a preference for what is often termed "populist" government—greater responsibility of elected officials to their constituents. The preference argues that greater responsibility translates into better democracy.

In order to evaluate the effects of legislative restructuring a two tiered approach was taken in the Research Project.

First, a brief, open-ended survey was sent to 93 members of the House of Commons in Ottawa, and 514 Members of provincial Legislatures across Canada.

Second, a series of interviews with current and former elected members of legislatures were compiled.

In principle, legislatures provide voters with a means of access to government institutions. Legislatures allow those who lack resources an opportunity to have their voices heard.

Unfortunately, it appears that many elected representatives are unconcerned the future and efficiency of legislatures.

Of the 607 surveys sent a mere 75 have been returned within 3 months. This is a return rate of 12.4% and is, for all intents and purposes, an inadequate rate of response.

Politicians periodically declare that the public is not interested or even abusive of them. Yet, the response to a short survey on the future of legislatures suggests that they have little concern about legislatures or, perhaps even, the people they represent.

The Project results suggest that perhaps the biggest challenge for the future of legislatures is often the elected members themselves.

For Comment and Contact: Dr. Lloyd Brown-John, Department of Political Science, University of Windsor, Windsor, Ontario.

Tel: (519) 253-4232 Ext. 2359

FAX: 519.973.7094 Email: lbj@uwindsor.ca

APPENDIX E
THE FUTURE OF LEGISLATURES(?) A MILLENNIUM RESEARCH PROJECT
INTERVIEW QUESTIONS

- 1. Do legislatures matter anymore?**
- 2. Does the function of "representation" in the legislature, as we have come to know it, have a future in the new millennium?**
- 3. If the number of representatives is reduced in the legislature, is the quality of representation maintained? Do we have, in effect, a "democratic deficit"?**
- 4. Does the quality of representation depend on whether you are a government or opposition member?**
- 5. Are legislatures as necessary today given the predominance of media coverage? Is the media doing the job the legislators used to do?**
- 6. Given the extent to which governments and political parties rely on public opinion polling, are legislators being bypassed?**
- 7. Given the extent to which governments use advertising to explain or "sell" their programs, are legislators still necessary to interpret government programs for their constituents?**
- 8. When we look at some of the changes made to the procedures of legislatures and parliament to make them more efficient and facilitate the business of government, how might we facilitate the role of the private member? Have we facilitated the role of the member, or simply improved the efficiency of Cabinet's management of the legislature?**

VITA AUCTORIS

BRANDY MILLER WAS BORN IN BRANTFORD ONTARIO IN 1975. SHE GRADUATED FROM ST. JOHN'S COLLEGE IN BRANTFORD IN 1994. SHE ATTENDED THE UNIVERSITY OF OTTAWA FOR TWO YEARS WHERE SHE STUDIED POLITICAL SCIENCE. UPON TRANSFERRING TO THE UNIVERSITY OF WINDSOR IN 1996, SHE EARNED HER BACHELOR OF ARTS DEGREE IN POLITICAL SCIENCE IN 1998. BRANDY CONTINUED HER EDUCATION AT THE UNIVERSITY OF WINDSOR, AND COMPLETED THE REQUIREMENTS FOR A MASTER OF ARTS DEGREE IN POLITICAL SCIENCE IN 1999. UPON COMPLETION OF THESE REQUIREMENTS, BRANDY WILL EMBARK UPON A LEGISLATIVE INTERNSHIP AT THE ONTARIO LEGISLATURE.